

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

IA NOS. 1366, 1367 OF 2018 IN
DFR NO. 3577 OF 2018

Dated: 20th November, 2018

Present: Hon'ble Mr. Justice N. K. Patil, Judicial Member
Hon'ble Mr. S.D. Dubey, Technical Member

In the matter of:

Avaada Non-Conventional Energy Private LimitedAppellant(s)
Versus
Karnataka Electricity Regulatory Commission & Ors.Respondent(s)

Counsel for the Petitioner(s) : Mr. Deepak Khurana

Counsel for the Respondent(s) : Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Ms. Pallavi Sengupta for R-2

ORDER

IA NO. 1366 of 2018 – (Appl. for leave to file)

We have heard the learned counsel appearing for the Appellant and the learned counsel appearing for the second Respondent on IA No. 1366 of 2018.

In the light of the submissions made by the learned counsel appearing for the Appellant and the learned counsel for the appearing Respondent and after perusal of the statement made in the application, we find the same satisfactory and accepted. IA No. 1366 of 2018 is allowed. Application for leave to file the Appeal is granted and stands disposed of.

IA NO. 1367 of 2018 – (Appl. for Condonation of Delay)

The learned counsel, Mr. Deepak Khurana, appearing for the Appellant, submitted that, there is a delay in filing the appeal which has been explained satisfactorily in paras 2 to 5 & 9 of the application and sufficient cause has been shown therein. The delay in filing the appeal is bonafide and unintentional. The delay has been caused due to the circumstances as explained above. Therefore, he submitted that, the delay may kindly be condoned and IA may kindly be allowed. The matter may kindly be heard on merit in the interest of justice and equity.

Submissions made by the counsel for the Appellant, as stated supra, are placed on record.

After careful consideration of the submissions made by the learned counsel appearing for the Appellant and perusal of the reasons assigned in paras 2 to 4 & 9 of the application, as stated supra, we find that the delay has been explained satisfactorily as sufficient cause has been shown and reasoning assigned is bonafide in nature. We accept the reasoning assigned in the application and delay in filing the appeal is condoned. IA is allowed.

DFR NO. 3577 OF 2018

Registry is directed to assign a regular number to the appeal and list the matter for admission on **29.11.2018**, subject to curing of defects.

Interim order granted earlier in this case shall continue until further orders.

(S.D. Dubey)
Technical Member

vt/bn

(Justice N. K. Patil)
Judicial Member