

COURT - I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

**IA No. 265 of 2017 IN
DFR No.801 of 2017**

Dated: 9th August, 2017

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member**

In the matter of :

**Ambuja Cement Limited
Vs.**

...Appellant(s)

Himachal Pradesh Electricity Regulatory Commission

...Respondent(s)

Counsel for the Appellant(s) : Mr. Piyush Joshi
Mr. Saurabh Jain

Counsel for the Respondent(s) : Mr. Suraj Singh for HPERC

ORDER

There is 105 days' delay in filing this appeal. In this application, the applicant/appellant has prayed that delay may be condoned.

The respondent has been served. Mr. Suraj Singh appears on behalf of the respondent.

It appears from the explanation that copy of the order dated 05.10.2016 passed by the State Commission was received by the appellant on 07.10.2016. Thereafter time was taken to get approval from the higher management and the appeal has been filed on 06.03.2017.

We have heard learned counsel for the parties. Learned counsel for the respondent has opposed the application. However, in the in the interest

of justice, we are of the opinion that delay deserves to be condoned after saddling the appellant with costs. Accordingly, delay in filing the appeal is condoned subject to the payment of cost of Rs.5,000/- (Rupees five thousand only) by the appellant to a charitable organisation, namely, **“Sai Deep Dr. Ruhi Foundation, A/c No. 952663443, A-508, Sector -19, Nodia 201301”** within two weeks from today. Application is disposed of.

After receiving the compliance report, Registry is directed to number the appeal and list the matter for admission on **31.08.2017**.

(I. J. Kapoor)
Technical Member

ts/kt

(Justice Ranjana P. Desai)
Chairperson