

**COURT - I**

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

**IA NO. 548 OF 2016 IN  
DFR NO. 3100 OF 2016**

**Dated: 1<sup>st</sup> August, 2017**

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

**In the matter of :**

**Jaiprakash Association Ltd.**

**...Appellant(s)**

**Vs.**

**Madhya Pradesh Electricity Regulatory Commission & Ors.**

**...Respondent(s)**

Counsel for the Appellant(s)

:

Mr. Pawan Upadhyay  
Mr. Ratik Sharma

Counsel for the Respondent(s)

:

Mr. C. K. Rai  
Mr. Umesh Prasad for R.1

Mr. M. G. Ramachandran  
Ms. Ranjitha Ramachandran  
Mr. Shubham Arya a/w  
Mr. G. Maheswari  
Mr. S.R.Sharma for R.2 & R.3

**ORDER**

There is 1335 days' delay in filing this appeal. In this application, the Applicant/Appellant has prayed that delay may be condoned.

All the Respondents have been served. Mr. C.K. Rai appears on behalf of Respondent No.1 and Ms. Ranjitha Ramachandran appears on behalf of Respondent Nos. 2 & 3.

We were informed by learned counsel for respondent Nos.2 & 3 that the appellant had not made payment of 50 % of the amount as per the order dated 31.12.2012 of the High Court of Madhya Pradesh. Therefore,

this application was adjourned time and again. Today, we are informed by learned counsel for respondent Nos. 2 & 3 that the appellant has made full payment of the POC charges. In view of this, we proceed to decide this application.

We have heard learned counsel for the parties and perused the explanation offered by the appellant. It appears that the appellant was prosecuting the writ petition in High Court of Madhya Pradesh, which was disposed of on 23.05.2016 and thereafter the appellant took steps to process the file and to prepare and file the appeal before this Tribunal. We find this explanation to be acceptable. Sufficient cause has been made out. Hence, delay in filing the appeal is condoned. Application is disposed of.

Registry is directed to number the appeal and list the matter for admission on 10.08.2017.

**(I. J. Kapoor)**  
**Technical Member**  
*ts/kt*

**(Justice Ranjana P. Desai)**  
**Chairperson**