

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

IA Nos. 1037 & 1034 of 2018
in DFR No. 2779 of 2018

Dated : 28th August , 2018

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

In the matter of:

M/s Vyshali Energy Pvt. Ltd.

.... Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. S. Venkatesh
Mr. Sandeep Rajpurohit
Mr. Samarth Kashyap

Counsel for the Respondent(s) : ----.

ORDER

(IA No. 1037 of 2018 – Leave to file the Appeal)

We have heard the learned counsel, Mr. S. Venkatesh, appearing for the Appellant. Respondents, though served, unrepresented.

In the light of the submissions made by the learned counsel appearing for the Appellant and after perusal of the statement made in the application, we find the same satisfactory and accepted. IA No. 1029 of 2018 is allowed. Application for leave to file the Appeal is granted and stands disposed of.

IA No. 1034 of 2018

(For Condonation of Delay in Filing the Appeal)

The learned counsel, Mr. S. Venkatesh, appearing for the Appellant, submitted that, there is a delay of 158 days in filing the appeal which has been explained satisfactorily in 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.

After careful consideration of the submissions made by the learned counsel appearing for the Appellant and perusal of the reasons assigned in the application, 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. 2779 OF 2018

List this matter for admission on **30.08.2018**.

The Interim Order dated 16.08.2018 granted by this Appellate Tribunal is extended till 15.11.2018.

(S.D. Dubey)
Technical Member
vt/vg

(Justice N.K. Patil)
Judicial Member