

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

**IA NOs. 447, 448 & 449 OF 2015**  
**IN DFR NO. 1540 OF 2015**

**Dated: 6<sup>th</sup> December, 2017**

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

**In the matter of:**

<b>Fortune Five Hydel Projects Pvt. Ltd.</b>	...	<b>Appellant(s)</b>
<b>Vs.</b>		
<b>Karnataka Electricity Regulatory Commission &amp; Anr.</b>	...	<b>Respondent(s)</b>

Counsel for the Appellant (s) : Mr. Basava Prabhu S. Patil, Sr. Adv.  
Mr. M. Srinivas R. Rao  
Mr. Abid Ali Beeran P.

Counsel for the Respondent(s) : Ms. Swapna Seshadri for R-1

**ORDER**  
**(IA No. 447 of 2015 – for leave to file appeal)**

We have heard learned senior counsel appearing for the Appellant and the learned counsel appearing for the Respondent No. 1. The learned counsel for the contesting respondent submitted that they do not want to file any objection.

The submissions made by the learned counsel for the contesting respondent are placed on record.

In the light of the statement made by the learned counsel for the contesting respondent and the reasons stated in the Application, leave to file the appeal is granted. The IA No. 447 of 2015 is allowed. Accordingly, the application stands disposed of.

**ORDER**  
**(IA No. 449 of 2015 – for delay in filing)**  
**(IA No. 448 of 2015 – for delay in re-filing)**

In these Applications, being IA No. 449 of 2015 and IA No. 448 of 2015, the Applicant/Appellant has prayed to condone 59 days' delay in filing and 154 days delay in re-filing the present appeal.

We have heard learned senior counsel appearing for the Applicant/Appellant and the learned counsel appearing for the Respondent No. 1. The learned counsel for the contesting respondent submitted that they do not want to file any objection.

The submissions made by the learned counsel for the contesting respondent are placed on record.

In the light of the statement made by the learned counsel for the contesting respondent and the reasons stated in these Applications, the delay in filing and re-filing the present appeal is condoned. The IA No. 449 of 2015 and IA No. 448 of 2015 are allowed. Accordingly, these applications stand disposed of.

**ORDER**  
**DFR No. 1540 of 2015**

Admit. Issue notice. Dasti, in addition, is permitted. Registry is directed to number the appeal and list the matter on **04.01.2018**.

**(S.D. Dubey)**  
**Technical Member**

**(Justice N.K. Patil)**  
**Judicial Member**

*mk/kt*