

**COURT-I**

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(APPELLATE JURISDICTION)**

**IA NOs. 369 & 368 OF 2017 IN  
DFR NO. 1289 OF 2016**

**Dated: 25<sup>th</sup> July, 2017**

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

**In the matter of:**

**Essar Power Gujarat Ltd.**

**Vs.**

**Central Electricity Regulatory Commission & Anr.**

**... Appellant(s)**

**... Respondent(s)**

Counsel for the Appellant(s) : Mr. Sanjay Sen, Sr. Adv.  
Mr. Mazag Andrabi  
Mr. Varun Kapur

Counsel for the Respondent(s) : Mr. P. Cahitanyashil  
Ms. Sujata K for R-1  
  
Ms. Suparna Srivastava  
Mr. Tushar Mathur  
Ms. Sanjana Dua for R-2

**ORDER**

**IA NO. 369 OF 2017**

***(Appln. for condonation of delay in re-filing)***

There is 329 days' delay in re-filing the appeal. In this application, the Applicant/Appellant has prayed that delay in re-filing may be condoned.

We have heard learned counsel for the Appellant and learned counsel for Respondent No.2. Learned counsel for respondent No.2 has strenuously opposed the condonation of delay in re-filing the appeal.

However, having considered the explanation offered by the applicant and submissions of the parties, we are of the opinion that in the interest of justice delay in re-filing the appeal deserves to be condoned. Therefore, without expressing any opinion on the merits of the case, delay in re-filing the appeal is condoned. Application is disposed of.

**IA NO. 368 OF 2017**  
*(Appl. for condonation of delay in filing)*

There is 3 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. Ms. Sujata appears on behalf of Respondent No.1 and Ms. Suparna Srivastava appears on behalf of Respondent No.2.

We have heard learned counsel for the parties and perused the explanation offered by the Appellant for the delay in filing the appeal. We find the explanation to be acceptable. Sufficient cause has been made out. Hence, delay is condoned. Application is disposed of.

Registry is directed to number the appeal and list the matter for admission on **03.08.2017.**

**(I.J. Kapoor)**  
**Technical Member**

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

*ts/vt*