

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

**IA NO. 394 OF 2018 IN**  
**DFR NO. 1052 OF 2018**

**Dated: 27<sup>th</sup> March, 2018**

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

**In the matter of:**

<b>Essar Power M.P.Limited</b>	....	<b>Appellant(s)</b>
<b>Vs.</b>		
<b>Central Electricity Regulatory Commission &amp; Ors.</b>	....	<b>Respondent(s)</b>

Counsel for the Appellant(s) : Mr. Sudhir Nandrajog, Sr. Ad.  
Mr. Alok Shankar  
Ms. Nayantara Pande

Mr. Sandeep P Sahay  
Ms. Shruti Verma for EPMPL (Rep.)

Counsel for the Respondent(s) : Ms. Sanjana Dua for  
Ms. Suparna Srivastava for R-2

Mr. Kumar Mihir for R-4

**ORDER**  
**[On IA No. 394 of 2018]**  
***(Appl. for condonation of delay in filing the appeal)***

Heard the learned senior counsel, Mr. Sudhir Nandrajog, appearing for the Appellant, learned counsel Ms. Sanjana Dua appearing for the second Respondent and learned counsel, Mr. Kumar Mihir, appearing for the fourth Respondent. Other Respondents served unrepresented.

The learned counsel appearing for the Appellant, at the outset, submitted that there is delay of 15 days in filing the appeal. The said delay has been explained satisfactorily and sufficient cause has been shown in the application being IA No. 394 of 2018 (for condonation of delay in filing), the same may kindly be accepted and the delay may kindly be condoned.

*Per-contra*, the learned counsel appearing for the second Respondent has strenuously opposed the condonation of delay in filing the appeal. She submitted that, as delay has not been explained satisfactorily and sufficient reasons have not been given in the application, therefore, the same may not be accepted.

The learned counsel appearing for the fourth Respondent submitted that, the submission made by the learned senior counsel appearing for the Appellant may kindly be taken on record and the said delay in filing the appeal may be allowed.

The submissions made by the learned counsel appearing for both the parties, as stated above, are placed on record.

After carefully considering the submissions made by the learned senior counsel appearing for the Appellant and going through the statement made in the application, the delay in filing the appeal is explained satisfactorily and sufficient reasons have been made out and the same are accepted. The delay of 15 days in filling the appeal is condoned and IA No.394 of 2018 is allowed. Accordingly, IA No. 394 of 2018 stands disposed of.

**(S.D. Dubey)**  
**Technical Member**  
*js/vt*

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