

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

IA NO. 1117 OF 2018 IN
DFR NO. 2104 OF 2018

Dated: 10th October, 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 Lohia Developers (India) Pvt. Ltd.

.... Appellant(s)

Vs.

Uttar Pradesh Electricity Regulatory Commission & Ors..

.... Respondent(s)

Counsel for the Appellant(s) : Mr. Himanshu Upadhyay

Counsel for the Respondent(s) : Mr. C.K. Rai
Mr. Sachin Dubey for R-1

Mr. Rajiv Srivastava
Ms.Gargi Srivastava for R-2

ORDER

(IA NO. 1117 OF 2018 - FOR DELAY IN FILING THE APPEAL)

We have heard learned counsel appearing for the Appellant and learned counsel appearing for the Respondent Nos.1 & 2.

The learned counsel, Mr. Himanshu Upadhyay, appearing for the Appellant submitted that the delay of 159 days' in filing the Appeal has been explained satisfactorily and sufficient cause has been shown in the application. The same may kindly be accepted and delay in filing may kindly be condoned in the interest of justice and equity.

Submission made by the learned counsel appearing for the Appellant, as stated above, is placed on record.

In the light of the submission made by the learned counsel appearing for the Appellant and after careful perusal of the application explaining the delay in filing the appeal, we find it satisfactory as sufficient cause has been made out. The same is accepted and the delay in filing the appeal is condoned. The IA is allowed.

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Registry is directed to number the appeal and list the matter for admission on **22.10.2018**, *as requested*.

(S. D. Dubey)
Technical Member

Bn/pr

(Justice N. K. Patil)
Judicial Member