

COURT-I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

**IA NO. 296 OF 2017 IN
DFR 691 OF 2017**

Dated: 13th September, 2017

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

In the matter of:

**M/s Avon Cycles Limited
Vs.**

.... Appellant(s)

Karnataka Electricity Regulatory Commission & Anr.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. Shridhar Prabhu
Mr. Anantha Narayana M. G.

Counsel for the Respondent(s) : Mr. B. C. Thiruvengadam
Mr. Ravi Agarwal for R-2

ORDER

**IA NO. 296 OF 2017
*(Appl. for condonation of delay)***

There is 283 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. Mr. B.C. Thiruvengadam appears on behalf of Respondent No.2. Though served, nobody is appearing on behalf of other Respondents.

It appears that the proceedings were initiated *suo moto* and notice was issued by Respondent No.1. According to the Appellant, though the Appellant participated in the proceedings before Respondent No.1, the Appellant came to know about passing of the impugned order in the second week of January, 2017. Thereafter the Appellant took time to prepare and file the present appeal.

Having heard learned counsel for the Appellant and having perused the explanation, we are of the opinion that in the interest of justice, delay deserves to be condoned after saddling the Appellant with costs. Accordingly, the Appellant is directed to pay the cost of Rs. 10,000/- (Rupees ten thousand only) to National Defence Fund, PAN No: AAAGN0009F, Collection A/c No. 11084239799 with State Bank of India, Institutional Division, 4th Floor, Parliament Street, New Delhi” within three weeks from today.

DFR 691 OF 2017

Learned counsel for the Appellant gives an undertaking that he will be depositing the costs as directed within three weeks from today. In view of this, Registry is directed to number the Appeal.

With the consent of the parties, the appeal is taken on board. Since the companion appeals have already been admitted, admit this appeal. Issue notice to the Respondents returnable on 02.11.2017. Mr. B.C. Thiruvengadam takes notice on behalf of Respondent No.2. Dasti, in addition, is permitted.

List the matter on **02.11.2017**. In the meantime, learned counsel for the Respondents may file reply on or before 12.10.2017 after serving copy on the other side. Rejoinder may be filed within two weeks thereafter.

(I. J. Kapoor)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

ts/tpd