

**COURT-1**

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

**IA Nos. 547 & 545 of 2017 in DFR No. 1793 of 2017  
& IA 546 of 2017**

**Dated: 26<sup>th</sup> September, 2017**

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

**In the matter of:**

**TANGEDCO**

**Vs.**

**Samalpatti Power Company Pvt. Ltd. & Anr.**

**.... Appellant(s)**

**.... Respondent(s)**

Counsel for the Appellant(s) : Mr. S. Vallinayagam

Counsel for the Respondent(s) : Ms. Sonakshi Malhan for  
Mr. Senthil Jagadeesan for R-1

**ORDER**

**IA No. 545 of 2017**

*(Appln. for condonation of delay)*

There is 66 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. Sonakshi Malhan appears on behalf of Respondent No.1. Though served, nobody is representing the other respondents.

We have heard learned counsel for the Appellant and perused the explanation offered for the delay in filing the appeal. The relevant portion reads as under:

*"4. The papers relating to the appeal were forwarded to the accounts department of the appellant organization for its approval*

*to file the appeal on 20.02.2017. Subsequent to the approval granted by the accounts department to file appeal the papers were sent to the legal department for its consent on 07.03.2017. After grant of approval by the legal department of the appellant, the papers were sent to the counsel at Delhi for getting the draft appeal ready in the last week of March, 2017.*

5. *The counsel for appellant at Delhi sent the draft appeal to the appellant for its approval and the appellant after due consideration of the facts and grounds raised in the appeal, approved the same for filing before this Hon'ble Appellate Tribunal on 28.03.2017.*

6. *The requisite court fee for filing the appeal was sanctioned. The approved and signed appeal with vakalatnama and affidavit accompanied with the court fee for filing the appeal was received by the counsel for appellant at Delhi on 12.04.2017. The relevant documents which were not legible were typed at Delhi and the appeal is filed today."*

We find the above explanation to be acceptable. Sufficient cause has been made out. Hence, delay is condoned. Application is disposed of.

**IA No. 546 of 2017**  
*(Appln. for waiver of court fee)*

We have heard learned counsel for the appellant. No case is made out to waive the court fee. Application is dismissed.

Once the court fee is deposited, registry is directed to number the appeal and list the matter for admission on **01.11.2017.**

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

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