

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

IA NO. 735 OF 2018 IN
DFR NO.1241 OF 2018

Dated: 12th September, 2018

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

In the matter of:

M.R. Shivaswamy		...	Appellant(s)
	Vs.		
State of Karnataka & Ors.		...	Respondent(s)

Counsel for the Appellant (s) : Mr. Ashish Virmani
Mr. G.S.H. Datta

Counsel for the Respondent(s) : Mr. Darpan K.M. for R-3/MESCOM

ORDER
IA No. 735 of 2018
(For Condonation of Delay in Filing the Appeal)

The learned counsel, Mr. Ashish Virmani, appearing for the Appellant, submitted that, there is a delay of 131 days in filing the appeal which has been explained satisfactorily in the application and sufficient cause has been shown therein. The delay in filing the appeal is bonafide and unintentional. The delay has been caused due to the circumstances as explained above. Therefore, he submitted that, the delay may kindly be condoned and IA may kindly be allowed. The matter may kindly be heard on merit in the interest of justice and equity.

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

After careful consideration of the submissions made by the learned counsel appearing for the Appellant and perusal of the reasons assigned in the application, we find that the delay has been explained satisfactorily as sufficient cause has been shown and reasoning assigned is bonafide in nature. We accept the

reasoning assigned in the application and delay in filing the appeal is condoned. IA is allowed.

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Registry is directed to number the appeal and list the matter for admission on **24.10.2018**.

(S.D. Dubey)
Technical Member
vt/pk

(Justice N.K. Patil)
Judicial Member