

**Before the Appellate Tribunal for Electricity**  
(Appellate Jurisdiction)

**IA No.149 of 2012 & IA No.150 of 2012 in**  
**DFR No.1679 of 2012**

**Dated : 30th May, 2012**

**Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson**  
**Hon'ble Mr. Rakesh Nath, Technical Member**

**Tamil Nadu Generation & Distribution**  
**Corporation Ltd.**

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

**Versus**

**Powergrid Corporation of India Ltd. & Ors.**

**...Respondent (s)**

**Counsel for the Appellant(s):**

Mr. S. Vallinayagam

**Counsel for Respondent (s):**

Mr. M.G. Ramachandran  
for Powergrid

**ORDER**

**IA No.149 of 2012 & IA No.150 of 2012**  
***(Appls. for Condonation of delay)***

There are two Applications praying for condonation of delay. One Application is to condone the delay of 127 days in re-filing the Appeal and the another Application is to condone the delay of 39 days in filing the Appeal against the impugned Order dated 01.08.2011.

The Appeal has been filed on 08.11.2011. The defects letter was issued by the Registry on 23.11.2011. Instead of curing the defects and filing it within 7 days time, the Appellant refiled the

Appeal after a delay of 127 days on 16.04.2012 along with an Application to condone the delay. The only reason given in the Application to condone the delay in refiling is that the file was misplaced in the advocate's office. This is not a valid reason.

In view of the unexplained delay in filing both the Applications, we are not inclined to condone the same. Accordingly, the Application to condone the delay in refiling as well as the Application to condone the delay in filing the Appeal are dismissed. Consequently, the Appeal is also rejected.

**(Rakesh Nath)**  
**Technical Member**

**(Justice M. Karpaga Vinayagam)**  
**Chairperson**

**ts/mk**