

Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)

I.A.No. 191 of 2006 in  
A.F.R. No. 1374 of 2006

Dated: 12<sup>th</sup> January, 2007

Present:

Hon'ble Mr. Justice Anil Dev Singh, Chairperson  
Hon'ble Mr. A.A.Khan, Technical Member  
Hon'ble Mr. H.L. Bajaj, Technical Member

Punjab State Electricity Board  
V/s.  
PGCIL & Anr.,

-Appellant

-Respondents

Counsel for Appellant : Mr. Pradeep Misra with  
Mr. T.P.S. Bawa, OSD ( C ) PSEB  
Counsel for Respondents : Mr. M. G. Ramachandran &  
Mr. N. N. Chaturvedi for Resp.1

ORDER

I.A.No. 191 of 2006

We do not find any sufficient cause to condone the delay of 92 days in filing the appeal. In the application it is stated that the impugned order was passed on June 2, 2006 and a copy thereof was received from the Central Electricity Regulatory Commission on June 23, 2006. It is further averred that after the receipt of the certified copy of the order, the matter was considered at various levels and it was decided to file an appeal only in the month of October 2006.

These are the only grounds pleaded for condonation of delay in filing the appeal. The party seeking condonation of delay in filling the appeal must show that the delay resulted from a cause which was beyond his control. A cause for delay, which could have been avoided, cannot be treated as a sufficient cause. As per the averments made in the application, the delay was occasioned on account of administrative reasons. No cogent ground for condonation of delay has been advanced by the appellant.

In the circumstances, we do not find any reason to condone the delay of 92 days in filing the appeal. Accordingly, the application is dismissed. Consequently, the appeal also fails and is dismissed.

**(A.A.Khan)**  
Technical Member

**(H.L. Bajaj)**  
Technical Member

**(Anil Dev Singh)**  
Chairperson

**Date: January 12, 2007**