

Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)

I.A.No. 199/06 in AFR No. 1434/06

Dated: 25<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**

**Tamil Nadu Electricity Board**

**V/s.**

**T.N.E.R.C. & Ors.**

**-Appellant**

**-Respondents**

**Counsel for Appellant**

**:**

**Mr. Ramji Srinivasan with**

**Mr. Anuj Aggarwal**

**ORDER**

**I.A.No. 199 of 2006**

There is a delay of 115 days in filing the appeal. No sufficient ground has been made out by the appellant for seeking condonation of delay in filing the appeal.

It is stated in the application that the third respondent – Sai Regency Power Corporation Private Limited had filed an appeal, being Appeal No. 137 of 2006, against the impugned order passed by the Commission, which is pending. It is submitted by the learned counsel for the appellant that since Appeal No. 137 of 2006 is pending, the delay in filing the instant appeal be condoned, and the matter be tagged with the earlier appeal filed by the third respondent - Sai Regency Power Corporation Private Limited.

It may be pointed out that the appellant was a party respondent in Appeal No. 137 of 2006. On hearing the parties, the appeal has since been dismissed. Besides, we do not find any reason to entertain the

appeal, since the matter is covered by the decision rendered by us in Appeal No. 137 of 2006.

In the circumstances, the application and the appeal are dismissed.

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

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

**(Anil Dev Singh)**  
Chairperson

**Dated: January 25, 2007**