

**The HPPTCL Versus the Govt. of HP (MPP & Power) and Others.**

**IA No. 84 of 2023**

**in**

**Review Petition No. 32 of 2023**

**22.06.2023**

Present: Sh. Tapan Kumar, Tariff Consultant for Petitioner.  
Sh. Shanti Swaroop, Ld. Legal Consultant for the Respondent No. 1  
Sh. Kamlesh Saklani, Authorised Representative for Respondent No. 2 with Sh. Mandeep Singh, Chief Engineer (Commercial).  
Sh. Rohit Sharda, G.M. (Generation) on behalf of the Respondent No. 3.  
Sh. Shanti Swaroop, Ld. Legal Consultant for the Respondent No. 4.  
Sh. R.K. Shukla, Project Manager for the Respondent No. 5.

**DAILY ORDER**

The reply of the Respondent No. 2 for the application for condonation of delay is taken on record. Amended Memo filed.

Heard on application for condonation of delay. It is mentioned in the application that on receipt of the order dated 28.09.2022, a significant time was consumed in processing the matter involving financial implications and seeking permission from the higher authority. In between, there was also H.P. Assembly Elections and the final approval of the competent authority could only be obtained on 03.02.2023, hence, there is delay of about 165 days in filing the Review Petition which is neither intentional nor deliberate. The application is supported by an affidavit.

The Respondent No. 2/HPSEBL in its reply has mentioned that the Petitioner has not offered any plausible explanation qua delay in filing the

Petition and has simply quoted the provisions of the Electricity Act, 2003 and the Limitation Act, 1963 and no detailed explanation has been made for condoning the delay of 165 days and, thus, the application be rejected.

On careful perusal of the application, duly supported by an affidavit, it is evident that a significant time was consumed in processing the matter involving financial implications and obtaining permission of the competent authority which could only be obtained on 03.02.2023 due to various reasons including the H.P. Assembly Elections and as such, the filing of the Review Petition has got delayed by 165 days. The explanation offered appears to be reasonable and plausible. Thus, the delay is neither intentional nor deliberate which is ordered to be condoned. The application is disposed off. Be tagged to the main file.

The Review Petition be registered, if not already registered.

Sh. Shanti Swaroop, Ld. Legal Consultant for Respondents No. 1 and 4, Sh. Rohit Sharda, G.M. (Generation) on behalf of the Respondent No. 3 and Sh. R.K. Shukla, Project Manager for the Respondent No. 5 waive notice on behalf of Respondents No. 1, 3, 4 and 5 and seek two weeks time for filing reply to the Petition. Sh. Kamlesh Saklani, Authorised Representative also seeks time for reply on behalf of Respondent No. 2. Time allowed as prayed. Let reply be filed within two weeks with advance copy to the opposite party and the rejoinder, if any, shall be filed well before the next date of hearing on receipt of copy of the reply.

List this matter on 19.07.2023 at 11:00 AM.

-Sd-	-Sd-	-Sd-
(Shashi Kant Joshi)	(Yashwant Singh Chogal)	(Devendra Kumar Sharma)
Member	Member (Law)	Chairman