

M/s Swadeshi Distributors LLP Versus The Directorate of Energy & Others

Filing No. 464 of 2025

13.10.2025

Present: Ms. Sneh Bhimta, Ld. Counsel for the Petitioner.
Sh. Shanti Swaroop, Ld. Legal Consultant for the Respondent No. 1.
Ms. Kiran Verma, Ld. Counsel for the Respondent No. 2.
Sh. Kamlesh Saklani, Authorised Representative for the Respondent No. 3.

DAILY ORDER

A Review Petition has been filed by the Petitioner seeking review of order dated 26.12.2024 passed by the Commission in Petition No. 36 of 2024. An application for condonation of delay has also been filed that after the order dated 26.12.2024, the Applicant approached the Respondent No. 3 for signing the Supplementary Power Purchase Agreement (SPPA for short) but the Applicant/ Petitioner was informed by the Respondent No. 3 that it is in the process of filing a Review Petition against the order dated 26.12.2024 and ultimately the Respondent No. 3 filed the same but only to the extent of applicability of the date of revised tariff from the date of SCOD, whereas, the Applicant/ Petitioner is also aggrieved of the order regarding the applicability of the final tariff to be applicable from the date of passing of final order and not from the date of SCOD. Thereafter, the matter for filing the Review Petition was discussed at various levels and Review Petition could be filed after a gap of 7 months 3 days, which is neither

intentional nor deliberate and said delay is required to be condoned. The application is duly supported by an affidavit.

No reply to the application for condonation of delay has been filed.

We have heard Ms. Sneha Bhimta, Ld. Counsel for the Petitioner, Sh. Shanti Swaroop, Ld. Legal Consultant for the Respondent No. 1, Ms. Kiran Verma, Ld. Counsel for the Respondent No. 2 and Sh. Kamlesh Saklani, Authorised Representative for the Respondent No. 3.

It is mentioned that immediately after the order dated 26.12.2024, the Petitioner approached the HPSEBL for signing the SPPA but the HPSEBL informed the Petitioner that it is in the process of filing the Review Petition against the order dated 26.12.2024 which ultimately has been filed. The parties are aggrieved of the order dated 26.12.2024 regarding applicability of the final tariff. It is also mentioned that a significant time has also been consumed in consulting the Counsel and preparing the Petition and thus, a delay of about 7 months 3 days has occurred which appears to be genuine. In view of the aforesaid, once both the parties are aggrieved against the order dated 26.12.2024, we are of the considered opinion that there are merits in the application which is accordingly allowed subject to costs of Rs. 2500/-. The delay of about 7 months 3 days is ordered to be condoned. The Application disposed off. Be tagged to the Review Petition for record.

The Review Petition be registered. Let reply to the Review Petition be filed by the Respondents within 2 weeks with advance copy to the opposite parties.

List on 18.11.2025 at 11:00 A.M for consideration.

sd/-

(Shashi Kant Joshi)
Member

sd/-

(Yashwant Singh Chogal)
Member (Law)-cum-Chairman