

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

**Appeal No. 11 of 2010 &
I.A. No. 19 of 2010**

Dated: 3rd March, 2010

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

Jharkhand State Electricity Board

.... Appellant (s)

Versus

Jharkhand State Electricity Regulatory Commission & Ors. ... Respondent (s)

Counsel for the Appellant (s) : Mr. Ajit Kumar Sinha, Sr. Adv. with
Mr. Ashwarya Sinha

ORDER

This Appeal is not maintainable on the following two grounds:

This Appeal is against the Order passed by the Commission rejecting the Application filed by the Petitioner-Appellant for review on the ground of delay. Admittedly, the main Order has been passed in 2006. The Appellant Petitioner did not chose either to file Review immediately before the Commission or an Appeal before this Tribunal, on the other hand, they have taken steps to implement the said Order. Unable to got it implemented, they chose to file an Application for modification. Then subsequently, wisdom fell down to modify the prayer into Review and that Review has been entertained. One Member said that the Review can be admitted and the Chairperson said that the review is not maintainable

**(Rakesh Nath)
Technical Member**

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

