

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION {L} NO. 1629 OF 2019

Bashad Bi Khan

....Petitioner

Vs.

The State of Maharashtra and Ors.

....Respondents

Ms. Ratna Ramlakhan Jaiswal for Petitioner.

Mr. Kunal Bhanage AGP for State.

Mr. Satish Kamat for Respondent No. 4.

**CORAM : SMT. BHARATI H. DANGRE, &
SHRI. N.J. JAMADAR, JJ.
(VACATION COURT)**

DATE : 27th MAY 2019

P.C.:

1. The limited relief sought in the present petition is for direction to the Respondent No. 3 – Appellate Authority to decide an appeal filed by the petitioner under Section 127 of the Electricity Act, 2003. The apprehension expressed by the petitioner is that the appeal may not be entertained as there is delay in filing the same and therefore, a relief is also sought directing the authority to condone the delay.

It is not in dispute that the appeal has been instituted by the petitioner and the same is pending before the Appellate Authority for adjudication. It is within the powers of the Appellate Authority to take into consideration the reasons-cited for not approaching the authority within the

statutory limit and it has power to condone the delay and we leave it to the Appellate Authority to consider the said issue judiciously. We direct the Appellate Authority to dispose of the appeal by taking into consideration the delay in filing the same and take a final decision within a period of two months from today. With the aforesaid directions the Writ Petition is disposed off.

(N.J. JAMADAR, J)

(SMT. BHARATI H. DANGRE, J)