

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No. 17/RP/2018

**in
Petition No.89/MP/2016
along with IA No. 29/2018**

Coram:

**Shri P.K.Pujari, Chairperson
Dr. M.K. Iyer, Member**

Date of Order: 5TH February, 2019

In the matter of

Review of Commission's order dated 2.11.2017 in Petition No. 89/MP/2016 seeking adjudication of disputes between BRPL & BYPL with PPCL regarding declaration of Availability by Pragati -III Combined Cycle Power Project.

And

In the matter of

1) BSES Yamuna Power Limited
Shakti Kiran Building, Karkardooma,
New Delhi-110092

2) BSES Rajdhani Power Limited
BSES Bhawan, Nehru Place
New Delhi-110019

...Review Petitioners

Vs

1) Pragati Power Corporation Limited
Himadri Rajghat Power House Office Complex,
New Delhi-110 002

2) State Load Despatch Centre (SLDC)
Delhi Transco Limited, 33 kV sub-station Building
Minto Road, New Delhi-110 002

...Respondents

Parties present:

Shri Gopal Jain, Senior Advocate, BYPL & BRPL
Shri Anupam Varma, Advocate, BYPL & BRPL
Shri Rahul Kinra, Advocate, BYPL & BRPL
Shri Ashutosh Kumar Srivastava, Advocate, BYPL & BRPL
Shri Anivesh Bharadwaj, Advocate, BYPL & BRPL
Shri Abhishek Srivastava, BYPL
Shri Sameer Singh, BYPL
Shri Surendra Kumar, BYPL



Shri S. Prakash, BYPL
Shri Amit Nagpal, BYPL
Shri Kanishk, BRPL
Shri M.G. Ramachandran, Advocate, PPCL
Ms. Poorva Saigal, Advocate, PPCL
Ms. Anushree Bardhan, Advocate, PPCL
Shri Shubham Arya, Advocate, PPCL

ORDER

Petition No. 89/MP/2016 was filed by the Petitioners, BYPL & BRPL (hereinafter referred to as 'the Review Petitioners') seeking adjudication of disputes between the the Review Petitioner and Pragati Power corporation Limited (hereinafter 'PPCL/ Respondent No.1') on the issue of wrongful declaration of availability by Pragati-III Gas fired Combined Cycle Power Station (1371 MW) (hereinafter referred to as "PPCL-III") of PPCL. The Commission rejected the prayers of the Petitioners and disposed of the said Petition vide order dated 2.11.2017 as under:

"38. Accordingly, in terms of the above, RLNG to be supplied under the GSA was not confined to sources initially identified at the time of the execution of the GSA but could be from any other source. Further, in terms of the above GSAs entered into by PPCL, a quantum of 6 MMSCMD Gas was available to PPCL on long-term basis before the CODs of the GTs and the Station as a whole which subsequently was reduced to 1 MMSCMD due to shortage of gas.

39. From the records it appears that the respondent has tied up with various gas suppliers including the Long term GSA, the Non- APM Gas, the Spot R-LNG and diversion of gas from Pragati-II and IP GTS for supply of gas to PPCL-III with help of GNCTD and with the intervention of Government of India as given under:

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41. It appears from the submissions and also from the record as tabulated above that the petitioner has about 4.9 MMSCMD of gas excluding allocation of 0.836 MMSCMD from KG D-6 Basin which has now become zero. 4.90 MMSMCMMD comprises of 2.40 MMSCMD from allocation to Delhi Gas based Stations (which includes IP GTPS + PPS-I+PPS-III) diverted and being used in PPCL-III, 1.564 MMSCMD (Non-APM gas) and 0.9 MMSCMD diverted from Ratnagiri during June,2014 to July, 2015. Further there is arrangement of gas through Master Sales Spot Gas Agreement (MSSG) of PPCL with GAIL for purchase of spot R-LNG on the basis of requirement to be decided in each Gas Sale & Purchase Notice (GSPN), one such Notice (GSPN) has been observed of dated 27.3.2014. GSAs contain restrictive clauses regarding minimum gas consumption. PPCL signed GSAs with Suppliers and Transporters containing the clauses of minimum consumption of gas on monthly/ annual basis with Take or Pay/min Ship or Pay/ Imbalance clauses in the FSAs.



42. PPCL is required to declare its requirement of gas in advance as per the agreements with the Gas suppliers for capacity declaration as per the Tariff Regulations. It may be appreciated that due to shortage in domestic gas there is no single source which can supply required gas on long term basis. Therefore, the petitioner has to arrange gas from different sources in different terms & conditions to cater to the requirement of gas. In view of above, we are of the view that the respondent has made adequate arrangements of gas for the station as per the requirement.”

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49. In view of the above, we are unable to accept the argument of the Petitioners that the fixed cost payable to the respondent should be reduced based on the actual generation. The fixed cost is payable on the basis of the availability of units/station which is dependant on the declared capacity and the availability acheieved during 2012-13 to 2014-15 is more than Normative Availability of 85%. Therefore we do not find any merit in the allegation made by the Petitioners and accordimngly, the prayers of the Petitioners are rejected.”

2. Aggrieved by the findings of the Commission in order dated 2.11.2017 on the issue “*whether PPCL has made arrangements for supply of gas to the station to declare capacity as per normative target availability*”, the Review Petitioners have filed this Review Petition raising the following grounds:

- (a) The impugned order has been passed by the Commission based on PPCL-III’s submission at serial No.7 of its additional affidavit dated 16.12.2016, stating that as per MoPNG order of May, 2013, PPCL-III was allowed swapping and clubbing of APM, R-LNG and Non-APM gas which is approximately 3.64 MMSCMD (considering maximum diversion of all gases from IPCL’s GTPS and from its PPCL-I station).
- (b) The Commission while passing the order has ignored the fact that the aforesaid submission of PPCL-I is contrary to the replies filed by PPCL-I and IPGCL before the Appellate Tribunal for Electricity in Appeal Nos 92 and 93 of 2016, wherein IPGCL and PPCL have stated in their replies that there has been no diversion of gas from GTPS and PPCL plants with PPCL-III.
- (c) The allegation of PPCL that the Review Petitioner had relied upon the piecemeal of the pleadings of the PPCL’s reply in Appeal No. 93 of 2016 is incorrect since PPCL-I has categorically submitted that ‘*it is wrong and denied that the Respondent No. 2 does not have adequate fuel or that the fuel is being diverted by the Respondent No.2 in any manner*’. However, contrary to the above, PPCL-III has submitted that PPCL has been swapping and clubbing of APM, R-LNG and non-APM gas from IPGL and PPCL-I. As such, either it is PPCL-iii which does not have adequate quantum of gas or it is IPGCL and PPCL who do not have adequate fuel. This aspect ought to have been considered by this Commission.
- (d) The Review Petitioner had highlighted this aspect in the written submissions filed in the present Petition on 10.3.2017. the Commission has failed to take into



consideration the contradictory submissions made by PPCL-III and / or IPGCL regarding the diversion of gas and thus availability of gas with PPCL-III during the period from June, 2014 to July, 2015.

Accordingly, the Review Petitioners have prayed that the impugned order dated 2.11.2017 may be reviewed on the ground that there exists error apparent on the face of record.

Interlocutory Application (I.A No. 29 of 2018)

3. The Review Petitioners have filed I.A for condonation of delay of 112 days in filing the Review Petition and have submitted the following:

(a) Even though the order in the original Petition was passed by the Commission on 2.11.2017, the Review Petitioners were already occupied in assessment of their tariff orders passed by the State Commission i.e. Delhi Electricity Regulatory Commission (DERC) determining their Aggregate Revenue Requirement (ARR) for the year 2017-18 and true-up of accounts upto 2015-16. As such, there were several legitimate expenses which were disallowed by the State commission.

(b) The respective regulatory team of the Review Petitioners were engaged in identification of issues in their respective tariff orders to be taken to appeal and / or review. The Review Petitioner had also filed Review Petitions on 17.11.2017 (BRPL) and 20.11.2017 (BYPL) raising many issues. Also, appeals were filed against the respective tariff orders dated 31.8.2017 before the APTEL on 23.11.2017 (BRPL) and 27.11.2017 (BYPL) raising 55 issues. Thus, the filing of appeal and review before the APTEL and the State Commission consumed considerable amount of time due to which the Review Petitioner were unable to examine and scrutinize this Commission's order dated 2.11.2017 for the purpose of challenging the same in review or appeal.

(c) The Review Petitioners were also busy from 21.11.2017 till February, 2018 in their audit by the State Commission.

(d) Apart from the above, the lead counsel in the matter, Mr. Vishal Anand was not keeping well during the month of November, 2017 and thereafter on 2.12.2017 succumbed to his illness. As such the team of late Mr. Vishal Anand could not provide the legal inputs regarding filing of review before this Commission till 17.12.2017.

(e) Thereafter, the strategy for filing the Review Petition could not be finalized as the lawyer of the Review Petitioner was travelling from 21.12.2017 till 1.1.2018 on account of court vacations.

(f) The Review Petitioners were preparing for filing their respective tariff petitions before the State Commission for ARR for 2018-19 and true-up for 2016-17, which was subsequently filed on 8.12.2017. The tariff petitions filed were lengthy as the audited accounts were to be submitted and thus, the Review Petitioner were unable to



scrutinize the order dated 2.11.2017 passed by this Commission in Petition No. 86/MP/2016.

(g) Further, regulatory audit conducted by the State Commission contued till end week of February, 2018. In view of this, the regulatory and legal team of the Review Petitioner were heavily engaged sp as to carry out the audit smoothly. The said audit was extensive in nature as it dealtwith various aspects / components of the distribution business which required deep involvement of the regulatory, finance and legal teamn of the Review Petitioner. Accordingly, the teams did not get the opportunity to analyse the implication of the order until 1.3.2018.

(h) Only in the month of March, the Review Petitioners could analyse and provide their instructions against to file Review Petition against order dated 2.11.2017. accordingly, on 10.3.2018, the lawyers of the Review Petitioner initiated process of drafting the Review Petition. The same was circulated to the legal & regulatory team of the Review Petitioner on 21.3.2018 for their perusal and comments.

(i) The Review Petition was perused by the legal & regulatory teams of the Review Petitioners only after 25.3.2018 since public hearing in Petition No. 68/2017 was being conducted by the State Commission and the legal & regulatory teams were engaged in the preparation of response to the comments / objections raised by the stakeholders.

(j) Thereafter, the Review Petition was scrutinized by the legal & regulatory team of the Review Petitioner and on 5.4.2018, the same was presented for approval of management of the Review Petitioners. After approval on 8.4.2018, the Review Petition was filed before this Commission on 9.4.2018.

Accordingly, the Review Petitioners have submitted that the delay of 112 days in filing the Review Petition is neither intentional nor deliberate and was caused due to certain unforeseeable and uncontrollable events and hence the delay may be condoned.

4. The matter was heard on 'admission' on 16.10.2018. During the hearing, the learned counsel for the Review Petitioners reiterated the submissions made in the Petition and in the I.A for condonation of delay. Referring to the judgments of the Hon'ble Supreme Court in BCCI vs Netaji Cricket Club and ors [(2005) 4 SCC 74] and State of Maharashtra vs Ramdas Shrinivas Naik (AIR 1982 SC 1249), the learned counsel for the Review Petitioners submitted that the review is maintainable on account of some inadvertent mistake of the Court or for any other 'sufficient



reason'. The Review Petitioner have also referred to the judgment of the Hon'ble Supreme Court in Ramnath Sao V Gobardhan Sao (2002) 3 SCC 195 and the judgment of the APTEL in New Usha Nagar Co-operative Housing Society Ltd V MERC & ors and submitted that the expression 'suffient cause' should be given a liberal interpretation to ensure that substantial justice is done while delaing with applications for condonation of delay.

5. In response, the learned counsel for the Respondent, PPCL submitted the following:

(a) The issue raised by the Review Petitioners on the fuel/ gas availability to PPCL to generate and make available the requisite quantum of electricity to the Petitioners are contrary to the provisions of the PPA and factual matrix of the case.

(b) PPCL had availability of the fuel/ gas required to meet the quantum of electricity declared available by PPCL and the quantum of electricity scheduled by the Review Petitioner on a continuous and sustained basis.

(c) As regards the Review Petitioner' contention that PPCL had reduced its plant availability to the tune of 50-52% when apprehensions were raised about the fuel availability, it is submitted that the reduction in the plant was due to forced outages arising out of compressor-stall of gas turbine-1 and the burnout of gas turbine-3.

(d) PPCL has been declaring the plant availability in due consideration of fuel availability and the same is evident from its two-part; DC- one on cheaper gas and the other on costlier gas on a daily basis to SLDC. Further, PPCL revises this two part DC whenever there is a curtailment or an enhancement in the quantity of cheaper gas being offered by the gas -supplier on account of any force majeure or otherwise.

(e) PPCL always gives details of availability of fuel with various commercial names and prices to SLDC. The declaration of generation capacity by PPCL is based upon actual availability of the fuel and consumption of availability and scheduling is done by SLDC which is also declared by SLDC on monthly basis.

(f) The application for condonation of delay is not maintainable. Further, the Commission vide its order dated 10.4.2018 in Petition No. 36/RP/2017 (PGCIL vs MPPMCL) had rejected the prayer of petitioner therein for condonation of delay in filing the Review Petition and had observed that the reasons given for the delay were within their control.

Accordingly, the Respondent, PPCL has prayed that the Review Petition is not maintainable and is liable to be dismissed.



6. The Commission after hearing the parties reserved its order in the IA as well as in the Review Petition. Before examining the issues on merit, we proceed to dispose of the prayer of the Review Petitioner for condonation of delay as raised in the IA.

Analysis & decision

7. We have heard the learned counsels for the Review Petitioners and the Respondent, PPCL. Under clause (f) of sub-section (1) of Section 94 of the 2003 Act, the Commission has been given the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 as regards review of its decisions, directions and orders. Regulation 103(1) of the CERC (Conduct of Business) Regulations, 2009, as amended, provides as under:

“Review of Decisions, Directions and orders

103(1) The Commission may, on an application of any of the persons or parties concerned made within 45 days of making such decision, directions or order, review such decision, directions or orders and pass such appropriate orders as the Commission deems fit.

8. Further, Regulation 116 of the CERC (Conduct of Business) Regulations, 2009 provides as under:-

“Extension or abridgement of time prescribed

116. Subject to the provisions of the Act, the time prescribed by these Regulations or by order of the Commission for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason by order of the Commission.”

In terms of the above provisions, a Review Petition can be filed by a party within a period of 45 days from the date of issue of the order. However, this period can be enlarged or curtailed, if the party is able to show sufficient reasons.

9. As stated, Petition No. 89/MP/2016 was disposed of by the Commission vide order dated 2.11.2017. The said order was posted in the website of the Commission on 2.11.2017 and was also despatched to the parties on 3.11.2017. It is a settled principle that limitation would start from the date the order was posted on the



website. Accordingly, the period of 45 days would start from the date the said order was posted in the website of the Commission i.e. 2.11.2017. In terms of this, the Review Petition should have been filed by 18.12.2017. It is however noticed that the Review Petitioners have filed this Review Petition on 9.4.2018, after a delay of 112 days, after the expiry of the period of limitation.

10. The Review Petitioners have referred to the judgment of the Hon'ble Supreme Court in Ramnath Sao V Gobardhan Sao (2002) 3 SCC 195 and the judgment of the APTEL in New Usha Nagar Co-operative Housing Society Ltd V MERC & ors and has submitted that while dealing with applications for condonation of delay, the expression 'sufficient cause' should be given a liberal interpretation to ensure that substantial justice is done. *Per contra*, the Respondent, PPCL has submitted that the Review Petitioner have not shown any sufficient cause for the delay to be condoned. In our view, each case will have to be considered on the particularities of its own facts. It is pertinent to mention that in Brijesh Kumar & Others V State of Haryana [2014 (3) CCC 470 (SC)], the Hon'ble Supreme Court while rejecting the prayer for condonation of delay in filing appeals before the Hon'ble High Court had observed that the delay due to inaction and negligence cannot be condoned. The relevant portion of the said judgment is as under:-

"11. The courts should not adopt an injustice-oriented approach in rejecting the application for condonation of delay. However the court while allowing such application has to draw a distinction between delay and inordinate delay for want of bona fides of an inaction or negligence would deprive a party of the protection of Section 5 of the Limitation Act, 1963. Sufficient cause is a condition precedent for exercise of discretion by the Court for condoning the delay. This Court has time and again held that when mandatory provision is not complied with and that delay is not properly, satisfactorily and convincingly explained, the court cannot condone the delay on sympathetic grounds alone."

11. As per the Hon'ble Supreme Court, "sufficient cause" is a condition precedent for exercising the discretion for condonation of delay and there should



not be any negligence on the part of the party seeking condonation. The expression “sufficient reasons” has not been defined in the CERC (Conduct of Business) Regulations, 2009 and hence the expression “sufficient reasons” shall receive the same interpretation as the expression “sufficient cause” in Section 5 of the Limitation Act, 1963. It has been held that the existence of ‘sufficient cause’ is a condition precedent for the exercise of discretion under Section 5 of the Limitation Act, 1963. The cause should be beyond the control of the party invoking the said section. A cause for delay, which by due care and attention, the party could have avoided, cannot be a ‘sufficient cause’. The test therefore, whether or not a cause is sufficient is to see whether it could have been avoided by a party by exercise of due care and attention. In the case of *The State of West Bengal vs. The Administrator, Howrah Municipality and ors* [1972 (2) SCR 874], the Supreme Court, while considering the scope of the expression ‘sufficient cause’ within the meaning of Section 5 of the Limitation Act, reiterated that the said expression should receive a liberal construction so as to advance substantial justice when no negligence or inaction or want of bona fide is imputable to a party. It has also been held by the Hon’ble Supreme Court that the term ‘sufficient cause’ must be referable to event or circumstances falling prior to the expiry of limitation and not those after expiry of such limitation. In *Ajit Singh Thakur Singh v. State of Gujarat*, 1981 LawSuit (SC) 21, the Hon’ble Supreme Court held as under:

“..the sufficient cause must establish that because of some event or circumstances arising before limitation expired, it was not possible to file the appeal within time. No event or circumstance arising after the expiry of limitation can constitute such sufficient cause.”

In the light of the settled principles of law, we now proceed to consider whether the Review Petitioners have made out a case for ‘sufficient reasons’ for condonation of delay.



12. The events/ combination of events which led to the delay of 112 days in filing the Review Petition, as furnished by the Review Petitioners, are summarized as under:

- (a) Legal and Regulatory team of the Review Petitioners were engaged in filing of Review Petitions and Appeals before DERC (the State Commission) and APTEL, challenging the tariff order of the State Commission dated 31.8.2017 determining the ARR for 2017-18 and truing up of accounts for 2015-16 and filing of tariff petitions for determination of ARR for 2018-19 and truing up of accounts for 2016-17 and preparation of comments/ objections raised by stakeholders in public hearing before the State Commission;
- (b) Legal and Regulatory team heavily engaged due to Regulatory Audit conducted by the State Commission from 21.11.2017 till 1.3.2018;
- (c) The team of late Mr. Vishal Anand (the lead counsel in the matter) not able to provide legal inputs regarding filing of review till 17.12.2017;
- (d) Strategy for filing Review Petition could not be finalized as the lawyer for Review Petitioner was travelling from 21.12.2017 till 1.1.2018 on account of Court vacations;
- (e) Instructions to file Review Petition against Commission's order dated 2.11.2017 was provided in March, 2018 and the lawyer initiated the process for drafting Review Petition on 10.3.2018, which was circulated to the Legal and Regulatory team on 21.3.2018;
- (f) Review Petition was perused by the Legal and Regulatory team after 25.3.2018. Thereafter, the same was placed for approval of management on 5.4.2018 which was accorded on 8.4.2018. Review Petition was accordingly filed on 9.4.2018.

13. It is evident from the above that the delay in filing the Review Petition is mainly on account of the fact that the legal & regulatory team of the Review Petitioners were busy in the Regulatory audit conducted by the State Commission, filing of ARR petitions before the State Commission and filing of review applications/ appeals against the tariff orders of the State Commission. In our view, the legal & regulatory team, having been put in place by the Review Petitioners, was expected to analyse and examine the orders of statutory authorities, including this Commission, and in case they felt aggrieved, take appropriate steps to file review or appeals, as the case may be, within the prescribed limitation period. The Review



Petitioners being aware of the Commission's order dated 2.11.2017 and the limitation period for filing review, should have taken steps to file the Review Petition within the period of limitation, instead of allowing the same to linger for months. The submissions of the Review Petitioners that the filing of ARR petitions for 2018-19 before the State Commission, preparation of comments/ objections raised by stakeholders based on public hearing of tariff petitions and Regulatory audit by State Commission had consumed considerable amount of time which had resulted in the Review Petitioners being unable to examine the order of the Commission merits no consideration and is liable to be rejected. In case the Review Petitioner felt that it was unable to examine the Commission's order dated 2.11.2017, as it had to deal with the huge workload involving the State Commission, Appellate Tribunal etc., the Review Petitioners should have taken suitable steps to augment the manpower to deal with the increased work load, including dealing with the cases for filing the Review Petition in time. According to us, the legal & regulatory team of the Review Petitioners, by keeping themselves engaged in the regulatory activities involving the State Commission, for a period from November, 2017 till end of March, 2018 appears to have consciously allowed the limitation period to expire. Increased workload cannot be a reason for the delay in filing of the Review Petition. If the Review Petitioners were serious, it would have pursued the matter diligently and filed the Review Petition in time. In this background, we find no reason to accept the explanation submitted by the Review Petitioners.

14. It is pertinent to mention that the Review Petitioners were aware during November, 2017 that the lead counsel in the matter was not keeping well. Despite this, no steps were taken by the Review Petitioners to engage any another counsel or to expedite inputs from the legal team (even prior to or after the demise of the



lead counsel on 2.12.2017) for filing the Review Petition within the limitation period. Even thereafter, no urgency appears to have been shown by the Review Petitioners to file the Review Petition, as the matter was allowed to linger till 1.1.2018, on account of the non availability of lawyer due to court vacations. Had the Review Petitioners acted with due and reasonable diligence, the delay in filing the Review Petition could have been avoided. It is, therefore, clear that the factors pleaded as grounds for delay in filing the Review Petition were neither unforeseeable nor uncontrollable and were all within the control of the Review Petitioners. In our considered view, the Review Petitioners' attempt to justify the delay in filing the Review Petition lacks bonafides and the Review Petitioners are guilty of inaction and/ or negligence. Since the reasons given by the Review Petitioners for the delay in filing the Review Petition were within the control of the Review Petitioners, we are not inclined to condone the delay of 112 days in filing the Review Petition. In our view, the circumstances leading to the delay in filing the Review Petition are attributable to the Review Petitioners.

15. The Appellate Tribunal in its judgment dated 31.10.2014 in IA No. 380 of 2104 in DFR No. 2355 of 2014 (APL Vs CERC & ors) while examining the application to condone the delay had observed the following:

“33. We are not more concerned with the prejudice being caused to the Respondents, since the condonation of delay is a matter of discretion of the Court wherein the only criteria is the sufficiency of the cause. In the matter of condonation of delay, the conduct, behaviour and attitude of a party relating to its inaction or negligence are relevant factors to be taken note of. Though the Courts should not adopt an injustice-oriented approach in rejecting the Application of condonation of delay, the Courts while allowing such application has to draw the distinction between delay and inordinate delay for want of bona fides of an inaction or negligence which would deprive the opposite party of the protection under the Limitation Act.

34. When the delay is not satisfactorily and convincingly explained, the Court cannot condone the delay on equitable or sympathetic grounds. The law of limitation fixes a life span for every legal remedy for the redress of the legal injury suffered. Unending period for launching the remedy may lead to unending uncertainty and consequential anarchy.



35. In other words, the delay should not be attributable to negligence, inaction or want of bona fide on the part of the defaulting party.

36. In other words, if there is material to indicate the party's negligence in not taking necessary steps, the period cannot be extended. If the explanation offered on fanciful or concocted, the Court should be vigilant not to expose the other side unnecessarily to face such antiquation"

16. It is evident in the present case that the circumstances leading to the delay in filing the Review Petition were all within the control of the Review Petitioners. However, the Review Petitioners have been casual and lackadaisical in its approach in pursuing the filing of the Review Petition. Based on the discussions in the aforesaid paragraphs, we are of the considered view that the Review Petitioners have not made out any sufficient cause for condonation of delay. Accordingly, the delay of 112 days in filing the Review Petition has not been condoned. Prayer of the Review Petitioners in IA No. 29/2018 is disallowed as above and consequently, the Review Petition stands rejected on the ground of limitation. We have not expressed any opinion on the merits of the Review Petition.

17. Petition No. 17/RP/2018 along with IA No. 29/2018 are disposed of in terms of the above.

Sd/
(Dr. M. K. Iyer)
Member

Sd/
(P. K. Pujari)
Chairperson

