Petition No. 10/RC/2013

Subject : Application under section 142 of the Electricity Act, 2003 for non compliance of Commission's directions.

Date of Hearing : 9.4.2013

Coram : Dr. Pramod Deo, Chairperson
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

Petitioner : Shamanur Sugars Ltd.

Respondents : Karnataka Power Transmission Co. Ltd. and others

Parties present : Shri Sridhar Prabhu, Advocate for the petitioner
Shri Anantha Narayana, Advocate for petitioner
Shri Shudhan, Advocate, KPTCL and SLDC, Karnataka

Record of Proceedings

Learned counsel for the petitioner submitted that Respondents, SLDC, Karnataka and KPTCL have filed an application before the Hon’ble High Court of Karnataka in the pending Writ Petition seeking amendment to the petition to challenge the vires of Regulation 8 of the CERC Open Access Regulations. Learned counsel submitted that thereupon, the said application was allowed and the Writ Petition is listed for hearing on 19.4.2013.

2. Learned counsel for the respondents submitted that the petition be taken up after disposal of the Writ Petition.

3. In response, learned counsel for the petitioner submitted that there is no stay against the order of the Commission. Learned counsel conceded that since the vires of the regulations as well as the impugned order are under challenge in the Writ Petition and both these aspects are being taken up together, the Commission may take appropriate decision in the matter keeping in view the latest development in the Hon’ble High Court and the submissions made therein by the parties.
4. After hearing the parties, the Commission directed the petitioner and respondents to communicate the outcome of the final decision of the Hon'ble High Court in the matter.

5. The petition shall be listed for hearing on 14.5.2013.

By order of the Commission,

Sd/-

(T. Rout)
Joint Chief (Law)