

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APPEAL NO. 42 OF 2018 & IA NO.214 of 2018,
APPEAL No. 78 OF 2018 & IA NOS.358 & 1751 OF 2018,
APPEAL NO. 117 OF 2018 & IA NO.510 OF 2018
APPEAL NO. 118 OF 2018 & IA NOS.475 & 1756 OF 2018
APPEAL NO. 118 OF 2018 & IA NO.475 OF 2018
APPEAL NO. 206 OF 2018 & IA NO.780 OF 2018
APPEAL NO. 207 OF 2018 & IA NOS.775 & 1730 OF 2018
APPEAL NO. 227 OF 2018 & IA NOS. 910, 1623 & 1760 OF 2018
APPEAL NO. 268 OF 2018 & IA NO.1178 OF 2018
APPEAL NO. 271 OF 2018 & IA NOS.1065 & 1622 OF 2018
APPEAL NO. 196 OF 2018 & IA NOS.515, 1757 & 1758 OF 2018
APPEAL NO. 242 OF 2018 & IA NO.1032 OF 2018
APPEAL NO. 243 OF 2018 & IA NO.1036 OF 2018
APPEAL NO. 244 OF 2018 & IA NO.1028 OF 2018
APPEAL NO. 280 OF 2018 & IA NO.1182 OF 2018
APPEAL NO. 282 OF 2018 & IA NO.1186 OF 2018
APPEAL NO. 287 OF 2018 & IA NOS.973 & 1632 OF 2018
APPEAL NO. 288 OF 2018 & IA NO.1070 OF 2018
AND
APPEAL NO. 357 OF 2018 & IA NO. 1381 OF 2018

Dated: 6th December, 2018

Present: Hon'ble Mr. Justice N. K. Patil, Judicial Member
Hon'ble Mr. Ravindra Kumar Verma, Technical Member

APPEAL NO. 42 OF 2018 & IA NO. 214 of 2018

In the matter of:

M/s Fortune Five Hydel Projects Pvt. Ltd.	...	Appellant(s)
Vs.		
Karnataka Electricity Regulatory Commission & Ors.	...	Respondent(s)

Counsel for the Appellant (s) : Mr. S. Venkatesh
Ms. Nishtha Kumar
Mr. Somesh Srivastava
Mr. Sandeep Rajpurohit

Counsel for the Respondent (s) : Ms. Swapna Seshadri
Mr. Anand K.Ganesan for R-1

Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-2, 4, 5, 6 & 7

APPEAL No. 78 OF 2018 & IA NOS. 358 & 1751 OF 2018

In the matter of:

M/s Green Infra Wind Power Generation Ltd. ... **Appellant(s)**
Vs.
Karnataka Electricity Regulatory Commission &Ors. ... **Respondent(s)**

Counsel for the Appellant (s) : Mr. Amit Kapur
Mr. Vishal Mukherjee
Mr. Catherine Ayallore

Counsel for the Respondent (s) : Ms. Swapna Seshadri
Mr. Anand K.Ganesan for R-1

Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-2, 3, 4 & 6

Mr. Fahad Khan
Mr. Shahbaz Hussain for R-5

APPEAL NO. 117 OF 2018 & IA NO. 510 OF 2018

In the matter of:

Lalpur Wind Energy Private Limited **Appellant(s)**
Versus
Karnataka Electricity Regulatory Commission & Ors. **Respondent(s)**

Counsel for the Appellant (s) : Mr. Parinay Deep Shah
Ms. Ritika Singhal

Counsel for the Respondent (s) : Ms. Swapna Seshadri
Mr. Anand K.Ganesan for R-1

Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-2,4,5 & 6

APPEAL NO. 118 OF 2018 & IA NOS. 475 & 1756 OF 2018

In the matter of:

Renew Power Ventures Private Limited **Appellant(s)**
Vs.
Karnataka Electricity Regulatory Commission & Ors. **Respondent(s)**

Counsel for the Appellant (s) : Mr. Sanjay Sen, Sr. Adv.
Mr. Parinay Deep Shah
Ms. Ritika Singhal

Counsel for the Respondent (s) : Ms. Swapna Seshadri
Mr. Anand K.Ganesan for R-1

Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-2, 3, 4 & 6

APPEAL NO. 206 OF 2018 & IA NO. 780 OF 2018

In the matter of:

M/s Golden Hatcherries & Ors. Appellant(s)
Vs.
Karnataka Electricity Regulatory Commission & Anr. Respondent(s)

Counsel for the Appellant (s) : Mr. Parinay Deep Shah,
Ms. Ritika Singhal,
Counsel for the Respondent (s) : Ms. Swapna Seshadri
Mr. Anand K.Ganesan for R-1
Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-2

APPEAL NO. 207 OF 2018 & IA NOS. 775 & 1730 OF 2018

Rai Bahadur Seth Shreeram Narasingdas Pvt. Ltd. - Appellant(s)
Versus
Karnataka Electricity Regulatory Commission & Ors. - Respondent(s)

Counsel for the Appellant (s) : Ms. Arunima Kedia
Ms. P. Saikumar
Counsel for the Respondent (s) : Ms. Swapna Seshadri
Mr. Anand K.Ganesan for R-1
Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-2, 4 & 5
Mr. Nithin Saravanan
Ms. Arunima Singh
Ms. Priyadarshini for R-3

APPEAL NO. 227 OF 2018 & IA NOS. 910,1623 & 1760 OF 2018

M/s Bhuruka Gases Limited & Anr. - Appellant(s)
Versus
Karnataka Electricity Regulatory Commission & Ors. - Respondent(s)

Counsel for the Appellant (s) : Mr. Parinay Deep Shah,
Ms. Ritika Singhal

Counsel for the Respondent (s) : Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-2 to 4

APPEAL NO. 268 OF 2018 & IA NO. 1178 OF 2018

Jindal Aluminium Limited - Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Anr.- Respondent(s)

Counsel for the Appellant (s) : Mr. Parinay Deep Shah,
Ms. Ritika Singhal,

Counsel for the Respondent (s) : Ms. Swapna Seshadri
Mr. Anand K.Ganesan for R-1

Mr. Fahad Khan
Mr. Shahbaz Hussain for R-2

APPEAL NO. 271 OF 2018 & IA NOS. 1065 & 1622 OF 2018

**Central Arecanut and Cocoa Marketing & Processing
Co-operative Limited**

- Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors.

-Respondent(s)

Counsel for the Appellant (s) :

Counsel for the Respondent (s) : Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-3 & 4

APPEAL NO. 196 OF 2018 & IA NOS. 515, 1757 & 1758 OF 2018

Clean Wind Power (Manvi) Private Limited

.... Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. Sanjay Sen, Sr. Adv.
Mr. Parinay Deep Shah
Ms. Ritika Singhal

Counsel for the Respondent(s) : Ms. Swapna Seshadri
Mr. Anand K.Ganesan for R-1

Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-2, 4 & 6

Mr. Nithin Saravanan
Ms. Arunima Singh
Ms. Priyadarshini for R-5

APPEAL NO. 242 OF 2018 & IA NO. 1032 OF 2018

In the matter of:

M/s Mangalore Energies Pvt. Ltd.

.... Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. S. Venkatesh
Ms. Nishtha Kumar
Mr. Sandeep Rajpurohit

Counsel for the Respondent(s) : Ms. Swapna Seshadri
Mr. Anand K.Ganesan for R-1

Mr. Balaji Srinivasan
Mr. Siddhant Kohli
Mr. Mayank Krshirsagar
Ms. Pallavi Sengupta for R-2 & 7

APPEAL NO. 243 OF 2018 & IA NO. 1036 OF 2018

In the matter of:

M/s Vyshali Energy Pvt. Ltd.

.... Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. S. Venkatesh
Ms. Nishtha Kumar
Mr. Sandeep Rajpurohit

Counsel for the Respondent(s) : Mr. Balaji Srinivasan
Ms. Pallavi Sengupta
Mr. Siddhant Kohli
Mr. Mayank Kshirsagar for R-2 & 7

APPEAL NO. 244 OF 2018 & IA NO. 1028 OF 2018

In the matter of:

M/s Greenko Bagewadi Wind Energies Pvt. Ltd.

.... Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. S. Venkatesh
Ms. Nishtha Kumar
Mr. Sandeep Rajpurohit

Counsel for the Respondent(s) : Mr. Balaji Srinivasan
Ms. Pallavi Sengupta
Mr. Siddhant Kohli
Mr. Mayank Kshirsagar for R-2 & 7

APPEAL NO. 280 OF 2018 & IA NO. 1182 OF 2018

In the matter of:

M/s Matrix Wind Energy Pvt. Ltd. Appellant(s)

Vs.

Karnataka Electricity Regulatory Commission & Ors. Respondent(s)

Counsel for the Appellant(s) : Mr. S. Venkatesh
Ms. Nishtha Kumar
Mr. Sandeep Rajpurohit

Counsel for the Respondent(s) : Mr. Balaji Srinivasan
Ms. Pallavi Sengupta
Mr. Siddhant Kohli
Mr. Mayank Kshirsagar for R-2 & 4

APPEAL NO. 282 OF 2018 & IA NO. 1186 OF 2018

In the matter of:

M/s Matrix Power (Wind) Energy Pvt. Ltd. Appellant(s)

Vs.

Karnataka Electricity Regulatory Commission & Ors. Respondent(s)

Counsel for the Appellant(s) : Mr. S. Venkatesh
Ms. Nishtha Kumar
Mr. Sandeep Rajpurohit

Counsel for the Respondent(s) : Mr. Balaji Srinivasan
Ms. Pallavi Sengupta
Mr. Siddhant Kohli
Mr. Mayank Kshirsagar for R-2 & 4

APPEAL NO. 287 OF 2018 & IA NOS. 973 & 1632 OF 2018

In the matter of:

Graphite India Limited Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors. Respondent(s)

Counsel for the Appellant(s) : Mr. Anantha Narayana M.G. for
Mr. Shridhar Prabhu

Counsel for the Respondent(s) : Mr. Balaji Srinivasan
Ms. Pallavi Sengupta
Mr. Siddhant Kohli
Mr. Mayank Kshirsagar for R-2, 3 & 4

APPEAL NO. 288 OF 2018 & IA NO. 1070 OF 2018

In the matter of:

Brindavan Hydropower Private Limited ... **Appellant(s)**
Vs.
Karnataka Electricity Regulatory Commission & Ors. ... **Respondent(s)**

Counsel for the Appellant(s) : Mr. Anantha Narayana M.G. for
Mr. Shridhar Prabhu
Counsel for the Respondent(s) : Mr. Balaji Srinivasan
Ms. Pallavi Sengupta
Mr. Siddhant Kohli
Mr. Mayank Kshirsagar for R-2, 3 & 4

APPEAL NO. 357 OF 2018 & IA NO. 1381 OF 2018

In the matter of:

M/s Matrix Green Energy Pvt. Ltd. **Appellant(s)**

Vs.

Karnataka Electricity Regulatory Commission & Ors. **Respondent(s)**

Counsel for the Appellant(s) : Mr. S. Venkatesh
Ms. Nishtha Kumar
Mr. Sandeep Rajpurohit
Counsel for the Respondent(s) : Mr. Balaji Srinivasan
Ms. Pallavi Sengupta
Mr. Siddhant Kohli
Mr. Mayank Kshirsagar for R-2

ORDER

IA NOS. 1725, 1623, 1622 & 1632 OF 2018
(Appls. for condonation of delay in filing the replies)

We have heard the learned counsel appearing for the Appellant and learned counsel appearing for the Respondents.

Learned counsel appearing for the Respondents submitted that, there is a delay in filing the replies which have been explained satisfactorily in the applications. The same may kindly be accepted and delay may kindly be condoned.

Submissions made by the learned counsel appearing for the Respondents, as stated above, placed on record.

In the light of the submission made by the learned counsel appearing for the Respondents and after perusal of the application explaining the delay in filing the replies, we find it satisfactory as sufficient causes have been made out. The same are accepted and the delays in filing the replies are condoned. IA, being IA Nos. 1725, 1623, 1622 & 1632 of 2018, for delay in filing the replies are allowed. IAs' stand disposed of.

IA Nos. 1751,1756 ,1730,1760 & 1758
(Appls. for condonation of delay in filing rejoinders)

The learned counsel, appearing for Appellants submitted that there are delays in filing the rejoinders which have been explained satisfactorily and sufficient causes have been made out in the applications. The same may kindly be accepted and delay in filing the rejoinders may kindly be condoned.

Submissions made by the learned counsel appearing for the Appellant, as stated above, placed on record.

In the light of the submission made by the learned counsel appearing for the Appellants and after perusal of the application explaining the delay in filing the rejoinders, we find it satisfactory as sufficient causes have been made out. The same are accepted and the delays in filing the rejoinders are condoned. . IA, being IA Nos. 1751,1756,1730,1760 & 1758 of 2018, for delay in filing the rejoinders are allowed. IAs' stand disposed of.

APPEAL NO. 42 OF 2018 & IA NO.214 OF 2018,
APPEAL No. 78 OF 2018 & IA NO.358 OF 2018,
APPEAL NO. 117 OF 2018 & IA NO.510 OF 2018
APPEAL NO. 118 OF 2018 & IA NO.475 OF 2018
APPEAL NO. 118 OF 2018 & IA NO.475 OF 2018
APPEAL NO. 206 OF 2018 & IA NO.780 OF 2018
APPEAL NO. 207 OF 2018 & IA NO.775 OF 2018
APPEAL NO. 227 OF 2018 & IA NO.910 OF 2018
APPEAL NO. 268 OF 2018 & IA NO.1178 OF 2018
APPEAL NO. 271 OF 2018 & IA NO.1065 OF 2018
APPEAL NO. 196 OF 2018 & IA NO.515 OF 2018
APPEAL NO. 242 OF 2018 & IA NO.1032 OF 2018
APPEAL NO. 243 OF 2018 & IA NO.1036 OF 2018
APPEAL NO. 244 OF 2018 & IA NO.1028 OF 2018
APPEAL NO. 280 OF 2018 & IA NO.1182 OF 2018
APPEAL NO. 282 OF 2018 & IA NO.1186 OF 2018
APPEAL NO. 287 OF 2018 & IA NO.973 OF 2018
APPEAL NO. 288 OF 2018 & IA NO.1070 OF 2018 &
APPEAL NO. 357 OF 2018 & IA NO. 1381 OF 2018

These matters have been heard substantially before the bench of Hon'ble Judicial Member, Justice N.K.Patil and Hon'ble Technical Member, Mr. S.D. Dubey earlier on several occasions.

In view of the above, post these matters on Wednesday, **12.12.2018** ***before the same bench at 2.30 PM,*** as agreed by the learned counsel appearing for both the Parties.

(Ravindra Kumar Verma)
Technical Member

(Justice N. K. Patil)
Judicial Member

bn/kt