

COURT-II

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

**APPEAL NO. 386 OF 2017 &
IA NO. 1097 OF 2017**

Dated: 4th January, 2018

**Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. S.D. Dubey, Technical Member**

In the matter of:

Fortune Five Hydel Projects Pvt. Ltd.

... Appellant(s)

Vs.

Karnataka Electricity Regulatory Commission & Anr.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. M. Srinivas R. Rao
Mr. Abid Ali beeran. P

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

ORDER

(IA No. 1097 of 2017)

We have heard learned counsel appearing for both the parties.

In the light of the statement made by the learned counsel for the appellant and the reasons stated in the Application, the same is accepted and IA No. 1097 of 2017 is allowed. Accordingly, the application being IA No. 1097 of 2017 stands disposed of.

Eight weeks time is granted for providing certified copy of the impugned order, as requested.

ORDER

(Appeal No. 386 of 2017)

Further the counsel for both the parties also requested the Court to post this matter along with Appeal No. 259 of 2016 which is listed on 14.02.2018,

which is pending in Court-I, on the ground that the issues involved in the instant case is identical to the issues involved in Appeal No. 259 of 2016. Therefore, they submitted that this matter may kindly be posted along with Appeal No. 259 of 2016 on 14.02.2018 in the interest of justice.

Submission made by the learned counsel for both the parties, as stated above, place on record.

Registry is directed to take necessary orders from the Hon'ble Officiating Chairperson to post this matter along with Appeal No. 259 of 2016 for hearing in Court-II, as agreed by the learned counsel appearing for both the parties.

List the matter for hearing on **15.02.2018**.

(S.D. Dubey)
Technical Member

Bn/js

(Justice N.K. Patil)
Judicial Member