COURT-I

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

IA NO. 257 OF 2016 IN
APPEAL NO. 109 of 2016

Dated: 5th October, 2016

Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member

In the matter:

M/s. Cauvery Hydro Energy Ltd. ….Appellant (s)
Vs.
Karnataka Power Transmission Corporation Ltd. & Ors. ....Respondent (s)

Counsel for the Appellant(s) : Mr. Nikhil Majithia
Mr. Angad Mehta

Counsel for the Respondent(s) : Ms. Vaishnavi Subramanyam
for R.1 & 2

ORDER

IA NO. 257 OF 2016
(Appl. for stay)

In this appeal the appellant has challenged the Order dated 07.01.2016 passed by the Karnataka Electricity Regulatory Commission (**State Commission**). Primary contention of the appellant is that the State Commission had in execution proceedings re-opened and re-examined Original Petition No. 47 of 2010, which is not permissible under law.

In our opinion, the nature of the controversy is such that the appeal needs to be finally disposed of. The period of two months set down under the impugned order has already expired. Hence, without

expressing any opinion on the merits of the case, we dispose of the present application by fixing the appeal for final hearing on 15.12.2016. I.A. No. 257 of 2016 is disposed of.

Learned counsel for Respondent Nos.1 & 2 clarifies that in the Order dated 01.09.2016 inadvertently Advocate Ms. Pratiksha Mishra is shown as appearing for Respondent Nos. 2 & 3 instead of Respondent Nos. 1 & 2. Registry is directed to correct the order accordingly.

List the main appeal for hearing on ***15.12.2016.***

(I.J. Kapoor)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

ts/kt