

COURT-II

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

ORDER IN APPEAL NO. 153 OF 2014

Dated : 8th December, 2017

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

In the matter of:

Sagar Power (Neerukatte) Private Limited

A Company registered under and governed
by the Companies Act, 1956

having its Registered Office at:

No. 312, 3rd Floor, Royal Corner, KH Road
Bangalore-560 027

(Represented by its Managing Director) Appellant(s)

Versus

1. Central Electricity Regulatory Commission

3rd & 4th Floors, Chanderlok Building,
36, Janpath, New Delhi-110 001
(Represented by its Chairman)

2. State Load Despatch Centre, Karnataka

Ananda Rao Circle, Race Course Road
Bangalore-560 001
(Represented by its Chief Engineer)

3. PTC India Limited

A Company registered under the provisions of the
Companies Act, 1956, having its registered office
at : 2nd Floor, NBCC Tower,
15, Bhikaji Cama Place, New Delhi-110 066
(Represented by its Managing Director) Respondent(s)

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

Counsel for the Respondent(s) : Mr. Anand K. Ganesan
Ms. Neha Garg
Ms. Rhea Luthra for R-2

In the instant case, the Appellant most humbly prays for the following reliefs:

- (A) Call for records from the 1st Respondent; and upon perusal of the same;
- (B) Be pleased to set aside the impugned Order dated 31st March, 2014 passed in Petition No. 83/MP/2013, by the 1st Respondent produced herein as **Annexure A-1**.
- (C) Pass such other order/s including an order as to costs in favour of the Appellant, to meet the ends of justice and equity.

ORDER

The Appellant, being aggrieved by the impugned order dated 31.03.2014, passed in Petition No. 83/MP/2013 on the file of the Central Electricity Regulatory Commission, New Delhi, Respondent No.1 herein, vide Annexure A-1, present this Appeal.

2. We have heard the learned counsel, Mr. Anantha Narayan M.G. representing Mr. Shridhar Prabhu, appearing for the Appellant and learned counsel, Ms. Neha Garg representing learned counsel, Mr. Anand K. Ganesan, appearing for the second Respondent. The other Respondents i.e. Respondent No.1 & 3 served unrepresented.

3. The learned counsel, Mr. Anantha Narayan M.G. appearing for the Appellant submitted that the instant Appeal, being Appeal No. 153 of 2014, on the file of the Appellate Tribunal for Electricity, New Delhi may be disposed of reserving liberty to the Appellant to redress his grievance before the Appropriate Authority as envisaged under relevant provision of the Electricity Act, 2003 and all the grounds urged in the instant memo of appeal may kindly be left open.

4. *Per contra*, the learned counsel, Ms. Neha Garg, appearing for the Respondent No.2, after taking instruction from her senior colleague Mr. Anand K. Ganesan, submitted that the contention made by the learned counsel appearing for the Appellant, at supra, may be placed on record and the instant appeal may be disposed with the liberty to redress their grievances before the competent authority as envisaged under relevant provisions of the Electricity Act, 2003.

5. The submissions made by the learned counsel for the parties, as stated above, are placed on record.

6. In view of the submissions made by the learned counsel appearing for both the parties, as stated above, the instant appeal, being Appeal No. 153 of 2014, stands disposed of reserving liberty to the Appellant to redress their grievances before the appropriate competent authority as envisaged under relevant provisions of the Electricity Act, 2003 and all the grounds urged in the instant memo of appeal may kindly be left open within a period of six weeks from today, if they so advised or need arise.

7. With these observations, the instant Appeal, being Appeal No. 153 of 2014, on the file of this Appellate Tribunal for Electricity, New Delhi, stands disposed of. Order accordingly.

(S.D. Dubey)
Technical Member

(Justice N.K. Patil)
Judicial Member

tpd/vt