

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

Appeal No.6 of 2008 & I.A. 16 of 2008

Dated : April 1, 2008

**Present: Hon'ble Mr. Justice Anil Dev Singh, Chairperson
Hon'ble Mr. A.A. Khan, Technical Member**

Hubli Electric Supply Co. Ltd. ... Appellant (s)

Versus

M/s Vishwanath Sugars Ltd. & Ors. ... Respondent (s)

Counsel for the Appellant (s) : Mr. M.G. Ramachandran with
Mr. Anand K. Ganesan &
Ms. Swapna Seshadri
Mr. V. Hiremath (Dir. Law KPTCL)

Counsel for the Respondent (s) : Mr. Prabhuling Navadgi with
Mr. Mukesh kumar (Rep.,) for
TPTCL, VSL, Doodhganga & Ugar Sugar
Works
Mr. B. Sreekumar (Asst. Chief (L)) for
CERC (Reps.)

ORDER

With the consent of the parties the following order is passed:-

The Appellant may approach the Karnataka Electricity Regulatory Commission for matters relating to the rights of the appellant and the obligations of the Respondent-Generating companies under the Power Purchase Agreements including for interim orders for supply of power to the appellant, as per the rights claimed by the appellant but denied by the Respondent-Generating Companies.

In the event any such petition is filed, the State Commission shall consider the same uninfluenced in any manner by the impugned orders of the Central Commission, expeditiously, in accordance with law.

Subject to the above, the impugned order is not interfered with in these appeals but the issues decided shall not be considered as a precedent in any other case. The existing open- access arrangement between the parties shall continue in the meanwhile.

The appeals are disposed of in terms of the above.

(A.A. Khan)
Technical Member

(Anil Dev Singh)
Chairperson