

COURT-I

**BEFORE THE APPELLATE TRIBUNAL FOR ELECTRICITY
(APPELLATE JURISDICTION)**

DFR NO. 2368 OF 2016

Dated: 17th August, 2016

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

In the matter of :

Global Energy Pvt. Ltd.

....Appellant (s)

Vs.

Karnataka Electricity Regulatory Commission & Ors.

...Respondent (s)

Counsel for the Appellant(s) : Mr. Soli J. Sorabjee, Sr. Adv.
Mr. Anil Kaushik
Mr. Ardhendumauli Kr. Pal
Mr. Tanmaya Mehta
Mr. Rajinder Singh
Mr. Abhishek Mishra

Counsel for the Respondents(s) : Mr. Manu Seshadri for R.1

Mr. Anand K. Ganesan
Mr. Sandeep Rajpurohit for R.2

Mr. Mohan Parasaran, Sr. Adv.
Mr. D.L. Chidananda for R.3

ORDER

The appellant has challenged the Letter dated 26.05.2016 addressed by Respondent No.1 – Karnataka Electricity Regulatory Commission (“State Commission”) to Respondent No.3. The office has raised an objection as to whether this letter could be treated as an order.

We have heard learned counsel for the parties. In view of the statement made by learned counsel for the State Commission, it is not necessary for us to go into the question whether the letter should be

treated as order or not. Learned counsel for the State Commission states that in case the appellant files an appropriate petition before the State Commission, the State Commission shall dispose of the same on or before 31.08.2016. Learned counsel for the appellant states that the petition will be filed before the State Commission by 19.08.2016 and copy thereof will be served on each of the respondents.

In case the petition is filed by the appellant, the State Commission is directed to dispose of the said petition on or before 31.08.2016 as stated by learned counsel for the State Commission uninfluenced by the Letter dated 26.05.2016, which is challenged in the present appeal, and in accordance with law after giving an opportunity of hearing to the appellant and other parties. We again reiterate that all the submissions of the appellant may be considered uninfluenced by whatever stand is taken in the Letter dated 26.05.2016.

Mr. Mohan Parasaran, learned senior counsel for Respondent No.3 makes a statement that till 31.08.2016 no vested rights will be created in favour of the third parties. His statement is recorded and accepted. We make it clear that we have not expressed any opinion on the merits of the case.

With the above observations, the appeal is disposed of.

(I.J. Kapoor)
Technical Member
ts/dk

(Justice Ranjana P. Desai)
Chairperson

Note: Registry to issue dasti order.