

**COURT-II**  
**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY**  
**(APPELLATE JURISDICTION)**

**JUDGMENT IN IA NOS. 526, 527, 528 & 529 OF 2019**  
**IN DFR NO. 5021 OF 2018**  
**ON THE FILE OF THE**  
**APPELLATE TRIBUNAL FOR ELECTRICITY, NEW DELHI**

**Dated: 5<sup>th</sup> April, 2019**

**Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member**  
**Hon'ble Mr. Ravindra Kumar Verma, Technical Member**

**In the matter of:**

**M/s. Lakshmi Jalavidyut (Krishna) Limited.**

its Registered Office at:

No.16, C-1, Millers Bed Area

Vasanth Nagar, Bengaluru – 560 052

(Represented by its Chairperson

.....Appellants

***VERSUS***

1. **Karnataka Electricity Regulatory Commission**  
Having its Office at No. 16, C-1,  
Millers Bed Area, Vasantha Nagar  
Bengaluru – 560 001  
(Represented by its Chairperson)
2. **Bangalore Electricity Supply Company Limited**  
Through its Managing Director,  
K.R. Road, Bengaluru – 560 001
3. **Karnataka Power Transmission Corporation Limited**  
Kaveri Bhavan, K.G. Road  
Bengaluru – 560 009  
(Represented by its Managing Director)
4. **Gulbarga Electricity Supply Company Limited,**  
Having its Office at Station Main Road  
Kalaburagi – 585 101  
(Represented by its Managing Director) .....Respondents

Counsel for the Appellant(s) : Mr. Ananta Narayana M G

Counsel for the Respondent(s):

## **J U D G M E N T**

### **PER HON'BLE MR. JUSTICE N.K. PATIL, JUDICIAL MEMBER**

1. In the instant Appeal, the Appellant, M/s. Lakshmi Jalavidyut (Krishna) Limited, Bengaluru, is questioning the legality, validity and propriety of the common order passed by Karnataka Electricity Regulatory Commission, Bengaluru (1<sup>st</sup> Respondent herein) dated 09.01.2018 in OP No. 100/2016 and OP No. 47 of 2017.
2. The Appellant has sought the following reliefs in DFR No. 5021 of 2018:
  - i. Call for records from 1<sup>st</sup> Respondent – KERC;.
  - ii. Set aside the Order dated 09<sup>th</sup> January, 2018 passed by 1<sup>st</sup> Respondent – KER in O.P. No.90/2016 filed by Respondent BESCOM and O.P. No. 47/2017 filed by GESCOM produced as Annexure-A1
  - iii. Grant the cost of the Appeal;
  - iv. Pass such other order/s as deemed fit under the facts and circumstances of the present case.
4. The learned counsel Mr. Anantha Narayana M.G. appearing for the Appellant at the outset submitted that in view of the judgment/order dated 29<sup>th</sup> March, 2019 passed by this Tribunal in

Appeal No. 42 of 2018 & IA No. 214 of 2018 in the matter of M/s. Fortune Five Hydel Projects Pvt. Ltd Vs. Karnataka Electricity Regulatory Commission & Ors. and connected matters, the instant Appeal filed by the Appellant may kindly be numbered and disposed of.

5. The submissions made by the learned counsel appearing for the Appellant, as stated supra, are placed on record.
6. In view of the judgment/order dated 29<sup>th</sup> March, 2019 passed by this Tribunal in Appeal No. 42 of 2018 & IA No. 214 of 2018 in the matter of M/s. Fortune Five Hydel Projects Pvt. Ltd Vs. Karnataka Electricity Regulatory Commission & Ors. and connected matters, the Registry is directed to number the Appeal. The instant Appeal filed by the Appellant is hereby disposed of in terms of above judgment/order dated 29<sup>th</sup> March, 2019 in Appeal No. 42 of 2018 & IA No. 214 of 2018.

**IA NOS. 526, 527, 528 & 529 of 2019**

7. In view of the disposal of the above case being DFR No. 5021 of 2018, the reliefs sought in the IA Nos. 526, 527, 528 & 529 of 2019 do not survive for consideration and accordingly stand disposed of.

Order accordingly.

**(Ravindra Kumar Verma)**  
**Technical Member**  
*mk/bn*

**(Justice N.K. Patil)**  
**Judicial Member**