

COURT-I

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

**APPEAL No. 322 of 2018 &
IA No. 1549 of 2018 & IA No. 245 of 2019**

Dated: 25th March, 2019

**Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. S.D.Dubey, Technical Member**

In the matter of:

**Madamageri Solar Power Project LL.P. & Anr. Appellant(s)
Versus
Hubli Electricity Supply Company Limited & Anr. Respondent(s)**

Counsel for the Appellant(s) : Mr. Prabhuling Navadegi, Sr. Adv.
Mr. Shubhranshu Padhi
Mr. Ashish Yadav
Mr. P. Kavin Prabhu

Counsel for the Respondent(s) : Mr. Fahad Khan
Mr. Shahbaz Hussain for R-1

ORDER

Learned counsel for Appellants submits that the agreed tariff was Rs.8.40 per unit. However, the tariff now paid is Rs.4.36 per unit on the ground that the COD was beyond the scheduled date. The delay was due to time consumed for the purpose of conversion of land in terms of Karnataka Land Revenue Act which was accepted by the State Government as well as the Respondent distribution licensee; however, not accepted by the State Commission and on its own (suo moto) proceedings fixed the above said tariff which is causing immense loss and financial

burden to the generator. Therefore, they seek for interim direction for payment of tariff at the agreed PPA tariff of Rs.8.40 per unit.

Respondent licensee seeks short date to file objections/reply on main Appeal, so that the main Appeal could be disposed of on merits instead of hearing Interim Application. Time is granted. They may file the same on or before 1.4.2019 with advance copy to the other side, failing which it shall be taken as nil.

List these matters on **03.04.2019**.

(S.D.Dubey)
Technical Member
tpd/pk

(Justice Manjula Chellur)
Chairperson