

OP No. 43/2021

No. N/100/2021

BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION,
No.16, C-1, Millers Tank Bed Area, Vasanth Nagar, Bengaluru-560 052.

Dated: 08.03.2022

Present

Shri H.M. Manjunatha : Officiating Chairperson

Shri M.D. Ravi : Member

OP No.43/2021

BETWEEN:

M/s SRM Power Private Limited,
105, "RR Takt", 37,
Bhoopasandra Main Road,
Sanjayanagar,
Bengaluru-560 094.
Reoresented by its Vice President
Mr. Narayanadas Jaju

.... PETITIONER.

(Represented by Sri Anish Acharya, Advocate
For M/s Anveshana, Advocates & Consultants)

AND:

1. Mangalore Electricity Supply
Company Limited, (MESCOM),
A Company incorporated under the
provisions of Companies Act, 1956,
having its Registered Office at
Paradigm Plaza, AB Shetty Circle,
Mangalore.
2. Karnataka Power Transmission
Corporation Limited (KPTCL)
A Company incorporated under the
provisions of Companies Act, 1956,
having Office at Kaveri Bhavan,
Bengaluru-560 001.

....RESPONDENTS

(Respondents represented by Sri Shahbaaz Husain,
Advocate for Precinct Legal)

ORDERS

1. The petitioner has filed the petition 86 (1) (f) of the Electricity Act, 2003, praying for the following reliefs to:

- a) Direct the Respondent to renew the PPA dated 14.06.2006 for a period of further ten (10) years as per Article 5.1 of the PPA and direct the respondent to purchase the power from the petitioner at the revised tariff rate.
- b) Fix the tariff at Rs.4.31 (Rupees Four and thirty-one paise) per kilowatt-hour for the power supplied by the petitioner payable from 26th October 2021, in consonances with clause 5.2 of PPA.
- c) Alternatively direct the respondents to facilitates the petitioner to sell the power under Captive/Group Captive Open Access policies to Captive Consumers and determining and fix wheeling and other charges involved as per Article 5 of the PPA.
- d) Grant such other and further reliefs as this Hon'ble Authority deems fit and proper under the facts and circumstances of the case to meet the ends of justice and equity.

2. The respondents appeared through counsel on 20.01.2022. On the same day, the counsel for the petitioner filed Memo dated 20.01.2022 praying to dispose of the present petition on the lines of Order dated 14.12.2021 passed in OP No.15/2013 passed by this Commission in the similar circumstances. The learned counsel for the respondents sought time for obtaining instructions from his clients on the Memo filed by the petitioner.

OP No. 43/2021

3. The case was taken up for hearing on 08.03.2022 through Video-Conferencing. The learned counsel for the petitioner made oral submissions permitting to withdraw the petition and agreed to file Memo in this regard with a copy to the respondents. The counsel for the respondents submitted no objection for withdrawal of the petition by the petitioner.
4. The extract of the memo dated 08.03.2022 by the Petitioner is hereunder;
 - i. The claim of the petitioner in the present petition for re-fixation of the tariff, this issues has been conclusively decided by this Hon'ble Tribunal in the Judgment/Order passed in the prior petition filed by the petitioner i.e., in OP 15/2013 dated 14.12.2021 between M/s SRM Power Private Limited vs BESCO and others.
 - ii. In view of the same, it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to permit the Petitioner to withdraw the present petition and grant such other and further reliefs as this Hon'ble Tribunal deems fit and proper under the facts and circumstances of the case to meet the ends of justice and equity.
5. This Commission taking note of the submissions made by both the counsels and the memo filed by the petitioner today (08.03.2022), the present petition is disposed of as withdrawn by the petitioner, with a liberty to file fresh petition for determination of Tariff.

Sd/-
(H.M. MANJUNATHA)
Officiating Chairman

Sd/-
(M.D. RAVI)
Member