

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 42 of 2025 & IA No. 345 OF 2025 & IA No. 205 OF 2025 & IA
No. 206 OF 2025

Dated: 27th February, 2025

Present : Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Ms. Seema Gupta, Technical Member (Electricity)

In the matter of:

BMM Ispat Limited

.... Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel on record for the Appellant(s) : Anantha Narayana M.G.
for App. 1

Counsel on record for the Respondent(s) :

for Res. 1

Sumana Naganand
Garima Jain
Tushar Kanti Mohindroo
Nidhi Gupta
Arnav Khanna
Vismaya Simha
for Res. 2

Sumana Naganand
Garima Jain
Tushar Kanti Mohindroo
Nidhi Gupta
Arnav Khanna
Vismaya Simha
for Res. 3

Sumana Naganand
Garima Jain
Tushar Kanti Mohindroo
Nidhi Gupta
Arnav Khanna

Vismaya Simha
for Res. 4

Sumana Naganand
Garima Jain
Tushar Kanti Mohindroo
Nidhi Gupta
Arnav Khanna
Vismaya Simha
for Res. 5

Sumana Naganand
Garima Jain
Tushar Kanti Mohindroo
Nidhi Gupta
Arnav Khanna
Vismaya Simha
for Res. 6

ORDER

IA-345/2025
(For leave to file Appeal)

The Applicant-Appellant is a generator which was obligated to generate and supply electricity to the Respondent Discoms in view of the Section 11(1) Order passed by the Government of Karnataka. The Respondent-Discoms invoked the jurisdiction of the KERC, under Section 11(2) of the Act, resulting in the tariff fixed by the State Government under Section 11(1) being reduced further by 10 paise per unit.

The Appellant is undoubtedly a "person aggrieved" thereby, as they are now required to refund a part of the amounts received by them under Section 11(1) of the Electricity Act, 2003. They are, therefore, entitled to file the present appeal under Section 111(1) of the Electricity Act, 2003. Leave, as sought for, is granted and the IA is, accordingly, disposed of.

IA-205/2025
(For condonation of delay in filing the Appeal) (21 days)

The delay of 21 days in filing the appeal is not so inordinate as to necessitate denial to hear the Appeal on merits. The delay is also not opposed by Ms. Sumana Naganand, Learned Counsel for the Respondent Nos. 2 to 6 - Caveators. The delay in filing the Appeal is condoned and the application is, accordingly, disposed of.

DFR-42/2025 & IA-206/2025

Respondent Nos. 2 to 6 are caveators.

Issue notice to the other Respondents both in the main Appeal and in the IA returnable on 07.04.2025. Dasti notice is permitted. The said notice shall bear the next date of hearing.

Four weeks' time is granted to file reply to Respondent Nos. 2 to 6.

Post the matter on **07.04.2025.**

(Seema Gupta)
Technical Member (Electricity)
mk/dk

(Justice Ramesh Ranganathan)
Chairperson