

ITEM NO.17 Court 3 (Video Conferencing) SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 17062-17063/2021

(Arising out of impugned final judgment and order dated 13-08-2021 in RP No. 146/2021 12-03-2021 in WA No. 190/2020 passed by the High Court Of Karnataka At Bengaluru)

HASSAN THERMAL POWER PVT. LTD. Petitioner(s)

VERSUS

THE STATE OF KARNATAKA & ANR. Respondent(s)

(FOR ADMISSION and I.R. and IA No.138131/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.138129/2021-PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 08-11-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s)

Mr. Kapil Sibal, Sr. Adv
Mr. Anoop G. Chaudhari, Sr. Adv
Mrs. June Chaudhari, Sr. Adv
Mr. R.K. Naroola, Adv
Ms Pratibha Sharma, Adv
Ms. Akansha Chaudhary, Adv
Mr. Jaibir Bindra, Adv
Mr. Pai Amit, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

It is urged that the reliefs claimed in the original petition filed before the Karnataka Electricity Regulatory Commission (for short "KERC") at Bengaluru for declaration was clearly outside the ambit of jurisdiction of the

Commission. This aspect has not been dealt with by the Division Bench.

Further, the State Government is not party to the P.P.A. Agreement. For which reason also, it could not have filed the original petition before the KERC under the Act.

Issue notice, returnable within two weeks.

Dasti, in addition, is permitted.

Liberty is granted to the petitioner to serve the standing counsel for the State of Karnataka.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)