

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 10/RC/2013**

- Subject : Application under section 142 of the Electricity Act, 2003 for non compliance of Commission's directions.
- Date of Hearing : 9.4.2013
- Coram : Dr. Pramod Deo, Chairperson  
Shri V.S.Verma, Member  
Shri M.Deena Dayalan, Member
- Petitioner : Shamanur Sugars Ltd.
- Respondents : Karnataka Power Transmission Co. Ltd. and others
- Parties present : Shri Sridhar Prabhu, Advocate for the petitioner  
Shri Anantha Narayana, Advocate for petitioner  
Shri Shudhan, Advocate, KPTCL and SLDC, Karnataka

**Record of Proceedings**

Learned counsel for the petitioner submitted that Respondents, SLDC, Karnataka and KPTCL have filed an application before the Hon'ble High Court of Karnataka in the pending Writ Petition seeking amendment to the petition to challenge the *vires* of Regulation 8 of the CERC Open Access Regulations. Learned counsel submitted that thereupon, the said application was allowed and the Writ Petition is listed for hearing on 19.4.2013.

2. Learned counsel for the respondents submitted that the petition be taken up after disposal of the Writ Petition.

3. In response, learned counsel for the petitioner submitted that there is no stay against the order of the Commission. Learned counsel conceded that since the *vires* of the regulations as well as the impugned order are under challenge in the Writ Petition and both these aspects are being taken up together, the Commission may take appropriate decision in the matter keeping in view the latest development in the Hon'ble High Court and the submissions made therein by the parties.

4. After hearing the parties, the Commission directed the petitioner and respondents to communicate the outcome of the final decision of the Hon'ble High Court in the matter.

5. The petition shall be listed for hearing on 14.5.2013.

By order of the Commission,

Sd/-  
(T. Rout)  
Joint Chief (Law)