

**COURT-II**  
**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY**  
**(Appellate Jurisdiction)**

**APPEAL NO. 229 OF 2018 &**  
**IA NO. 1115 OF 2018**

**Dated: 5<sup>th</sup> March, 2019**

**Present: Hon'ble Mr. Justice N. K. Patil, Judicial Member**  
**Hon'ble Mr. Ravindra Kumar Verma, Technical Member**

**In the matter of:**

**South Indian Sugar Mills Association** .... **Appellant(s)**  
**Versus**  
**Karnataka Electricity Regulatory Commission** .... **Respondent(s)**

Counsel for the Appellant(s) : Ms. Neha Garg  
For Ms. Swapna Seshadri

Counsel for the Respondent(s) : None

**ORDER**

In the instant case, notice has been issued to the Respondent Commission regarding admission of the Appeal as well as IA No. 1115 of 2018 (for stay) on 14.08.2018 returnable on 12.09.2018. Dasti, in addition, was also permitted. Thereafter, the matter came up for admission on 12.09.2018 and was duly admitted with a direction to the Respondent Commission not to precipitate in the matter until further orders.

Inspite of having sufficient opportunities of hearing given to the Respondent Commission, the Respondent Commission neither deputed any of its officers nor engaged any counsel before this Tribunal. Thereafter, the matter was listed on 10.10.2018, 26.10.2018 and 11.12.2018 and also today for consideration, but, in all these occasions, Respondent Commission, though served, is unrepresented.

The subject matter of the instant appeal is a tariff matter. What has emerged is that, since 09.08.2018 till today, there has been no representation on behalf of the Respondent Commission. Therefore, having regard to the facts and circumstances of the case, as stated supra,

we hereby direct the Secretary, Karnataka Electricity Regulatory Commission, Bangalore/Respondent Commission to remain present before this Tribunal personally or through their counsel on the next date of hearing i.e. on **18.03.2019** without fail.

Registry is directed to issue the Court Notice directing the Secretary, Karnataka Electricity Regulatory Commission, Bangalore/Respondent Commission to appear before this Tribunal on 18.03.2019 personally or through their counsel.

**(Ravindra Kumar Verma)**  
**Technical Member**

*vt/pk*

**(Justice N. K. Patil)**  
**Judicial Member**