



TELANGANA STATE ELECTRICITY REGULATORY COMMISSION
5th Floor, Singareni Bhavan, Red Hills, Hyderabad-500 004

O. P. No. 89 of 2015

Dated 28.10.2017

Present

Sri. Ismail Ali Khan, Chairman
Sri. H. Srinivasulu, Member

Between:

M/s. Bhagyanagar India Limited,
No. 501, 5th Floor, Surya Towers,
Sardar Patel Road,
Secunderabad – 500 003.

... Petitioner

And

1. The State of Telangana, Rep. by its Principal Secretary,
Department of Energy (RES-A1), Secretariat Buildings,
Hyderabad – 5000 022.
2. The Southern Power Distribution Company of Telangana,
6-1-50, Mint Compound, Hyderabad – 500 063.
3. The Transmission Corporation of telangana Limited,
Vidyut Soudha, Khairathabad, Hyderabad – 500 004.
4. The Senior Accounts Officer,
OP Circle, SPDCL of TS Limited,
Hyderabad.

... Respondents.

This petition came up for hearing on 8.09.2015, 4.11.2015, 23.11.2015, 23.12.2015, 15.06.2016, 22.06.2016, 09.08.2016, 12.06.2017 and 23.10.2017. There is no representation for petitioner on 08.09.2015, Smt. Manminder Kaur, Representative of the petitioner appeared on 04.11.2015, Smt. P. Lakshmi, counsel for petitioner appeared on 23.11.2015, Sri. Challa Gunaranjan, Counsel for petitioner appeared on 23.12.2015, 15.06.2016 and 22.06.2016, Sri. T. Vizhay Babu, Advocate representing Sri Challa Gunaranjan, Counsel for the petitioner appeared on

09.08.2016 and 12.06.2017, Sri. P. V. Durga Prasad, Manager (Legal) of the petitioner appeared on 23.10.2017. Sri. J. Ashvini Kumar, Advocate representing Sri. Y. Rama Rao, Standing Counsel for the respondents appeared on 08.09.2015, Sri. Y. Rama Rao, Standing Counsel for the respondents along with Sri. J. Ashvini Kumar, Advocate appeared on 04.11.2015, Sri. Y. Rama Rao, Standing Counsel for the respondents appeared on 23.11.2015, Sri. Y. Rama Rao, Standing Counsel for the respondents alongwith Sri. P. Venkatesh, Advocate appeared on 23.12.2015, Sri. Y. Rama Rao, Standing Counsel for the respondents alongwith Smt. Priya Iyengar, Advocate appeared on 15.06.2016, 22.06.2016 and 09.08.2016, Sri. B. Vijaya Bhaskar, Advocate representing Sri. Y. Rama Rao, Standing Counsel for the respondents appeared on 12.06.2017 and Sri. Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate appeared on 23.10.2017. The petition having stood for consideration to this day, the Commission passed the following:

ORDER

The petitioner had filed the petition under section 86 (1) (f) of the Electricity Act, 2003 seeking the following prayer.

“To declare the action of the respondents 2 to 4 in charging the wheeling charges / transmission charges for the month of February, 2014 to till March, 2015 and collected the same in violation of G. O. Ms. No. 39 dated 26.09.2012 and in contrary to tariff order dated 09.05.2014 levying in monthly wheeling charges in HTCC bill of Rs. 1,67,150/- p. m. in total the respondents illegally collected 12 months wheeling charges from the petitioner’s company and same is bad in law that the petitioner company for the transmission of solar energy in violation of tariff order dated 09.05.2014 issued by the then APERC which is adopted by this Commission and consequently direct the respondents 2 to 4 refund the wheeling charges / transmission charges collected from petitioner company from February, 2014 to March, 2015 and further direct the respondents 2 to 4 wheeling charges / transmission charges paid by the petitioner company from the month of February, 2014 to March,2015.”

2. The advocates and representatives of the petitioner have submitted about the case on various dates. Likewise, the counsel for the respondents filed counter affidavit

and additional counter affidavit on behalf of the respondents and stated that the relief sought by the petitioner in the present petition has already been complied with.

3. The representative of the petitioner has filed a memo stating that the petitioner has received the amount to be refunded by the respondents. Hence, he sought the permission of the Commission to withdraw the present petition.

4. Accordingly, the Commission agrees to the request of the petitioner. The petition is dismissed as withdrawn, but without any costs.

This order is corrected and signed on this the 28th day of October, 2017.

**Sd/-
(H. SRINIVASULU)
MEMBER**

**Sd/-
(ISMAIL ALI KHAN)
CHAIRMAN**

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