



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

I. A. (SR) No. 35 of 2016
in
O. P. No. 32 of 2014

Dated: 15.05.2018

Present

Sri. Ismail Ali Khan, Chairman

Between:-

1. M/s. Ganapati Sugar Industries Ltd.,
Fasalwadi, Sangareddy, Medak District.
2. M/s. Gayatri Sugars Limited,
B2, 2nd Floor, 6-3-1090, TSR Towers,
Raj Bhavan Road, Somajiguda,
Hyderabad – 500 082.

... Petitioners

AND

1. Southern Power Distribution Company of
Telangana Limited, 6-1-50, Mint Compound,
Secretariat Road, Hyderabad – 500 063.
2. Northern Power Distribution Company of
Telangana Limited, H.No. 2-5-31/2, Corporate Office,
Vidyut Bhavan, Nakkalgutta, Warangal – 506001.

... Respondents

This application came up for hearing on 17.06.2017, 16.11.2017, 08.12.2017 and 30.04.2018. Sri. Challa Gunaranjan, Advocate for the applicant appeared on 17.06.2017, 16.11.2017, Sri. T. Vizhay Babu, Advocate representing Sri. Challa Gunaranjan, Advocate for the applicant appeared on 08.12.2017 and Sri. Challa Gunaranjan, Advocate for the applicant alongwith Sri. M. Sridhar, Advocate appeared on 30.04.2018. Sri. Y. Rama Rao, standing counsel for the respondents along with Sri. B. Vijaya Bhaskar, Advocate appeared on 17.06.2017, Ms. Pravalika, Advocate representing Sri. Y. Rama Rao, standing counsel for the respondents

appeared on 08.12.2017 and Sri. Y. Rama Rao, standing counsel for the respondents along with Ms. Pravalika, Advocate appeared on 30.04.2018. The application having stood for consideration to this day, the Commission passed the following:

ORDER

M/s. Ganapathi Sugar Industries Limited and another (petitioners) have filed an application under sections 62 and 86 of the Electricity Act, 2003 (Act, 2003) seeking modification of the order dated 16.05.2014 in O. P. No. 32 of 2014 of the then APERC insofar as variable cost payable to the bagasse plants for the period for FY 2014-2019.

2. The applicants have sought the following prayer in the petition.

“Therefore, the petitioners pray the Commission to revise the price of bagasse and also the fuel price escalation method by determining the variable cost of bagasse based generators for the period from 01.04.2016 to 31.03.2019.”

3. The application was taken on file at SR stage and notices were issued as to its maintainability. The respondents have filed their counter affidavit. The matter was heard on several times. During the course of hearing, the respondents have stated that the interlocutory applicants herein have filed Appeal No. 297 of 2014 before the Hon’ble ATE with a prayer as stated below.

“To allow the appeal and set aside the order dated 16.05.2014 passed by the State Commission to the extent of fixation of cost of fuel for bagasse based co-generation projects and re-determine the tariff.”

4. On being confronted about the above facts, the counsel for the applicants took time to obtain instructions in the matter. Ultimately, on 30.04.2018 the counsel for the applicants has stated that the applicants are seeking to pursue the appeal before the Hon’ble ATE and wish to withdraw the present application.

5. Accordingly, the applicants are permitted to withdraw the present application and the application is dismissed as withdrawn, but in the circumstances without costs.

This order is corrected and signed on this the 15th day of May, 2018.

Sd/-

**(ISMAIL ALI KHAN)
CHAIRMAN**

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