

Before the Karnataka Electricity Regulatory Commission, Bangalore

Dated this the 30th day of October, 2003

Present

- | | | |
|----------------------------------|----------|-----------------|
| 1. Sri. Philipose Matthai | - | Chairman |
| 2. Sri. H.S. Subramanya | - | Member |
| 3. Sri. S.D.Ukkali | - | Member |

CaseNo.OP- 38/2003

Between

Sri Laxman Gowda,
3 B/A , 8th Cross,
Ganesha Block,
Mahalaxmipuram Layout,
Bangalore-560 086

Petitioner

(By Sri A.V.Amaranathan, Adv.)

and

1. The Executive Engineer (Elec), Bescom,
North Division, West of Chord Road,
Rajajinagar,
Bangalore - 560 010
2. Asst. Exe. Engineer (Elec),
N3/N7 Sub Division,
KPTCL
Bhuvaneshwarinagar,
Bangalore - 560 079
3. Managing Director,
Bescom.
K.R.Circle,
Bangalore

Respondents

This case was heard for admission. Sri A.V.Amarnathan, learned Counsel for the petitioner, traced the brief history of the case and stated that the respondents had inspected the premises with vengeance since the petitioner

had refused to pay the augmentation charges of Rs. 61, 250/- demanded by them. He stated that the petitioner has been back billed for Rs.42, 295/- for excess load and that he unsuccessfully approached the first Appellate Authority against this demand. He pleaded that the Hon. High Court of Karnataka has stayed the functioning of Second Appellate Authority and therefore, he had no alternative but to file this petition.

2. The petitioner's claim is considered carefully. The absence of the Second Appellate Authority is no sufficient ground for seeking invocation of *suo motu* powers under Regulation 44.10 of the Code. The learned Counsel has not been able to show any apparent errors in the proceedings before the First Appellate Authority, which has upheld the back bill. As no grounds have been made out for admission of this petition, the same is inadmissible.

3. Petition **not admitted**. So ordered.

(Philipose Matthai)

(H.S.Subramanya)

(S.D.Ukkali)