

Before the Karnataka Electricity Regulatory Commission, Bangalore

Dated this the 12th day of June 2003

Present

1. Sri. Philipose Matthai - Chairman
2. Smt. Nalini M.K. Menon - Member

Case No. A -1/2003

Between

Sri Kalleswara Flour Mills,
697/2, K.R.Road,
DAVANGERE

Appellant

Case No. A -2/2003

M/s. Vijay Flour Mills,
K.R.Road,
DAVANGERE

Appellant

Case No. A -3/2003

Sri. Vijay Rice and Dal Mills,
DAVANGERE

Appellant

Case No. A -4/2003

Sri. S.S.Jayanna,
Soji & Rice Industries,
K.R.Road,
DAVANGERE

Appellant

(By Sri Siddhalingaiah Adv.)

AND

1.The Managing Director,
BESCOM,
BANGALORE

2. The Chief Electrical Inspector,
Mysugar Building,
J.C.Road,
BANGALORE

- (Common) Respondents

These four Appeals have been filed against the common order dated 17.1.2003 passed by the Respondent No.2, under section 26(6) of the Indian Electricity Act, 1910, in respect of disputed meters of the installations belonging to the Appellants. Since there are common issues involved, these appeals were clubbed and heard on admissibility.

2. We have heard the learned Counsel for the Appellants.

3. The Indian Electricity Act, 1910, has been amended by inserting new Sections 49B to I. Under the amended provisions, the powers of the Electrical Inspector are vested in the Special Courts constituted under the said Act. The Special Courts have been constituted by Government of Karnataka Notification No. DE 3 PSR 2001 dated 10.4.2002. According to Section 49 D (12) of the amended Act, the cases pending before any authority, as would have been within the jurisdiction of such Special Courts, stand transferred to the Special Courts, as soon as they are constituted. Therefore, The 2nd Respondent had no powers to pass the impugned orders on 17.1.2003.

4. Therefore, the impugned order is passed without any jurisdiction and is a nullity. No legal consequence will emerge from such an order. As such these appeals are **disposed off as not admissible**. It is ordered accordingly.

(Philipose Matthai)
Chairman

(Nalini M.K. Menon)
Member