



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

CIN: U40100KL2011SGC027424

Vydyuthi Bhavanam Pattom Thiruvananthapuram 695 004 India

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ABSTRACT

Writ appeal before the Division bench of Hon'ble High Court against judgment dated 2-12-2020 – Filing appeal and engaging Sr.Adv.Maninder Singh- Sanction accorded - Orders issued.

Corporate Office (Commercial & Tariff)

B.O.(FTD)No. 159 /2021(KSEB/TRAC/CG/CERC Regulations/2020-21 dtd. 20 - 2-2021

- Read: 1. CERC(Sharing of Inter State Transmission charges and losses)Regulations, 2020
2. WP filed by KSEBL before Hon'ble High Court.
3. Judgment dated 2-12-2020 of Single bench of Hon'ble High Court.
4. Decision in the core committee meeting held on 28-12-2020.
5. Note no.KSEB/TRAC/CG/CERC Regulations/2020-21 dtd.1-2-2021 of Deputy Chief Engineer(Commercial & Planning) with full powers of Chief Engineer (Agenda no.51-2-2021).

ORDER

KSEBL had filed writ petition before Hon'ble High Court against the CERC (Sharing of Inter State Transmission charges and losses) Regulations, 2020 issued by CERC. KSEBL had engaged Sr.Adv.Maninder Singh and Adv.Harikumar, for dealing this case before Hon'ble High Court .

Hon'ble High Court vide the judgment read above dismissed the writ petition. Since there is an increase of around Rs.300 Cr annually to KSEBL as a result of the new Regulations, KSEBL in the core committee held on 28-12-2020 decided to file appeal against the judgment before the Division bench of Hon'ble High Court.

The Deputy Chief Engineer (Commercial & Planning) with full powers of Chief Engineer as per the note read as 5th above placed a draft appeal before Full Time Directors and it is recommended to engage Sr.Adv.Maninder Singh who dealt with the writ petition for the appeal petition also, at the same memo of fee approved by Board which is submitted below.

Sl.No.	Description	Amount (Rs.)
1	Fee for appearance before Kerala High Court (Through Virtual Hearing)(per appearance, per case)	7,50,000
2	Fee for conference (per hour)	55,000
3	Fee for settling per pleading	1,10,000
4	Clerakge	@10% of above

The Deputy Chief Engineer (Commercial & Planning) with full powers of Chief Engineer further informed that Adv.Harikumar, the counsel engaged for this petition demanded significant increase from his earlier schedule of fee for dealing with the writ appeal. On further discussion with Adv.Harikumar, he has informed in writing that he is returning the files for enabling to engage any other lawyer. Since the arguments are rendered by Sr.Advocate and the counsel mainly deal with filing of the case, it was suggested that instead of Adv.Harikumar, Board may engage one of the standing counsel of KSEBL at Ernakulam as counsel of KSEBL for the appeal. He further informed that on enquiry with the O/o of the Standing Counsel, it was informed that

Adv.Pramodh, Standing Counsel is capable of handling such matters. Therefore, it was suggested to engage Adv.Pramodh , Standing Counsel of KSEBL at Ernakulam for dealing this appeal instead of Adv.Harikumar. It was also suggested to entrust Liaison officer of KSEBL at Ernakulam for signing the Vakalath of KSEBL for filing the appeal.

Having considered the matter in detail, the Full Time Directors in its meeting held on 15-2-2021,

1. Resolved to approve the draft writ appeal
2. Further resolve to engage Sr.Adv.Maninder Singh for dealing the writ appeal of KSEBL before Hon'ble High Court at the same memo of fee approved by Board for the writ petition.
3. Further resolved to engage Adv.Pramodh, Standing counsel of KSEBL at Ernakulam for dealing the writ appeal of KSEBL.
4. Further resolved to entrust the Liaison officer of KSEBL at Ernakulam for signing the vakalath of KSEBL for filing the appeal.

Orders are issued accordingly.

By order of the Full Time Directors,
Sd/
Lekha G.
Company Secretary I/C

To

1. The Deputy Secretary (Administration)

Copy to:


Financial Advisor.

Deputy Chief Engineer (TRAC)/ Commercial

Stock file

Library

Forwarded by order


Asst: Exe.Engineer