

# Before the Meghalaya State Electricity Regulatory Commission Shillong

Case Number 9A/2017of 2018

In the matter of:

Petition for Separate Tariff Categorisation for Ferro Alloy Industries for FY 2018-19

AND

In the matter of Byrnihat Industries Association

Coram

Shri WMS Pariat, IAS (Retd), Chairman

Date of Order: 05/12/ 2018

ORDER

Seen the order dated 03.12.2018 passed in WP (C) No.463/ 2018,titled MePDCL vs MSERC and Anr, by the Hon'ble High Court of Meghalaya, at Shillong wherein the Hon'ble High Court has taken note of the order dated 10.09.2018 passed by the Hon'ble Supreme Court of India, clarifying that the judgment and order with regard to appointment of law member in Commission/ Tribunal shall be effective only from the time that a vacancy arises in the respective Tribunal and that till such time, the existing Tribunal /Commission was to continue to operate.

In view of the clarification, issued by the Hon'ble Supreme Court of India as aforesaid and the withdrawal by MePDCL to the challenge maintained by it vis-a-vis the jurisdiction of this Commission before the Hon'ble High Court of Meghalaya in WP (C) No. 463/ 2018 resulting in the order dated 03.12.2018 passed in WP (C) No. 463/ 2018, **the petition challenging jurisdiction of this Commission does not merit any further consideration and the same is hereby rejected.**

Consequently, this Commission shall proceed to hear the application filed by MePDCL seeking review of the order dated 20.09.2018 for which pleadings have already been exchanged.

Fix 19/12/2018 for appearance and final hearing.

Sd/-

(WMS Pariat)

Chairman,

Meghalaya State Electricity Regulatory Commission