

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:  
Shri Gireesh B.Pradhan, Chairperson  
Shri M Deena Dayalan, Member  
Shri A.K.Singhal, Member**

**Date of Order: 4.7.2014**

**I.A. No. 32/2014  
in  
Petition No. 14/MP/2014**

**In the matter of**

Application for stay.

**And  
in the matter of**

KVK Energy Ventures Private Limited

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**ORDER**

The Commission in its order dated 21.3.2014 in Petition No. 41/MP/2014 and other related petitions had issued the following directions:

“6. We have heard the learned counsels for the parties. After considering the letter of MNRE, we deem it appropriate that time should be granted to the



concerned authorities in terms of para 4.4 of the Guidelines to take a decision in the matter after the completion of the election process. Accordingly, we allow time till 30.6.2014 to the concerned authorities to consider and dispose of the representation of the petitioners. Till that time, NVVN is directed not to encash the Performance Bank Guarantee of the petitioners. The petitioners are directed to keep the Performance Bank Guarantee valid taking into account the extended time up to 30.6.2014 in line with terms and conditions of their respective PPAs.”

2. The petitioner has filed the IA stating that its representation is yet to be disposed of by the concerned authorities in terms of para 4.4 of the Guidelines. Since the stay granted by the Commission vide its order dated 21.3.2014 on the encashment of Performance Bank Guarantee is expiring on 30.6.2014, the petitioner has prayed for extension of the stay till the disposal of the petition.

3. After hearing the learned senior counsel and counsels for the parties, the Commission vide order dated 1.7.2014 in IA No. 26/2014 in Petition No.327/MP/21014 and others had directed as under:

"5. We have heard the learned senior counsel and counsels for the parties. After considering the letter of MNRE, we deem it appropriate to grant time till 31.8.2014 to the concerned authorities in terms of para 4.4 of the Guidelines to take a decision in the matter. Accordingly, we allow time till 31.8.2014 to the concerned authorities to consider and dispose of the representation of the petitioners. Till the next date of hearing, NVVN is directed to maintain *status quo* and not to encash the Performance Bank Guarantee of the petitioners. The petitioners are directed to keep the Performance Bank Guarantee valid taking into account the extended time in line with terms and conditions of their respective PPA."



4. Since grievances projected by the petitioner are similar to IA No. 26/2014 in Petition No.327/MP/21014 and others, our decision in said petitions shall also apply *mutatis mutandis* in this case.

5. The IA is disposed of in terms of the above.

6. The petition shall be listed for hearing on 4.9.2014.

Sd/-

**(A.K.Singhal)**  
**Member**

sd/-

**(M Deena Dayalan)**  
**Member**

sd/-

**(Gireesh B.Pradhan)**  
**Chairperson**

