

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 10/MP/2016**

- Subject : Petition under Sections 79 (1) (f) & 19 of the Electricity Act, 2003 read with Regulation 14 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading license and other related matters) Regulations, 2009 seeking refund of the Late Payment Surcharge illegally retained by the Respondent No. 1 under Power Purchase Agreement dated 30.5.2011 alongwith interest and initiation of proceedings for revocation of the Inter-State Trading License of the Respondent No. 1.
- Date of hearing : 12.5.2016
- Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member
- Petitioner : Jaiprakash Power Ventures Limited
- Respondents : Global Energy Private Limited and others.
- Parties present : Shri Vishal Gupta, Advocate, JPVL  
Shri Hemant Singh, Advocate, GEPL  
Shri Matrugupta Mishra, Advocate, GEPL  
Shri Tushar Nagar, Advocate, GEPL  
Shri Rajeev Donarey,  
Ms. Deepika Sehgal,

**Record of Proceedings**

The learned counsel for the respondent, Global Energy Private Limited (GEPL) prayed for grant of three weeks time to file its reply with regard to the 'maintainability' of the petition.

2. The learned counsel for the petitioner prayed for liberty to file its rejoinder to the said reply of the respondent, as and when received. The learned counsel further submitted that in terms of the observations of the Hon'ble Supreme Court in its order in PTC India Limited Vs Gujarat Electricity Regulatory Commission, all objections/issues including the question of maintainability may be considered by the Commission at the

time of disposal of the petition. He undertook to submit the copy of the order of Hon'ble Supreme Court.

3. The Commission directed the respondent, GEPL to file its reply on or before 27.5.2016, with advance copy to the petitioner, who may file its rejoinder, if any, by 20.6.2016.

4. The matter shall be listed for hearing on 7.7.2016. The parties shall ensure the completion of pleadings within the due dates mentioned above. No adjournment shall be granted for any reason what so-ever.

**By order of the Commission**  
**Sd/-**  
**(T. Rout)**  
**Chief (Law)**