

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 10/MP/2016
Alongwith I.A. No. 24/2016**

Subject : Petition seeking refund of the late payment of surcharges illegally retained by the respondent under Power Purchase Agreement dated 30.5.2011 along with interest and initiation of proceedings for revocation of the Inter-State Trading License granted to GEL

Date of hearing : 6.7.2017

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 (JPVL)

Respondents : Global Energy Private Limited and Others

Parties present : Shri Vishal Gupta, Advocate, JPVL
Shri Sanjiv K. Goel, JPVL
Shri Matrugupta Mishra, Advocate, GEPL
Shri Nishant Kumar, Advocate, GEPL

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed by the petitioner, Jaiprakash Power Ventures Limited seeking direction to Global Energy Pvt. Ltd. (GEPL) to refund late payment surcharge received from the UPPCL @ 6% of the aggregate amount. Learned counsel for the petitioner further submitted that GEPL has recently filed a Writ Petition before the Hon'ble High Court of Allahabad seeking late payment surcharge @ 15% from the UPPCL on the same amount. However, this fact was not brought to the notice of the Commission by GEPL. Learned counsel for the petitioner requested for time to place on record the copy of the writ petition filed by GEPL before the Hon'ble High Court of Allahabad.

2. Learned counsel for GEPL submitted that he has no objection to the request of the petitioner.
3. The Commission allowed the request and directed the petitioner to place on record the copy of the writ petition alongwith comments on or before 28.7.2017.
4. The petition shall be listed for hearing on 22.8.2017.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**