

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.239/MP/2016

Subject : Petition under Section 79 (1)(b) and 79(1)(f) to claim amounts to compensate the petitioner on account of the consequences of the occurrence of change in law events.

Date of hearing : 17.1.2017

Coram : Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : ACB (India) Limited (ACBIL)

Respondent : Gujarat Urja Vikas Nigam Limited (GUVNL)

Parties present : Shri Matrugupta Mishra, Advocate, ACBIL
Shri Piyush Singh, Advocate, ACBIL
Shri Satish Sharma, ACBIL
Ms. Ranjitha Ramachandran, Advocate, GUVNL
Shri S.K. Nair, GUVNL

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed seeking compensation on account of Change in Law events as per Article 13 of PPA dated 26.2.2007 entered into between the petitioner and respondent.

2. The Commission observed that in the present petition, the existence of composite scheme under Section 79 (1) (b) of the Act needs to be established before the Commission examines jurisdiction in the matter. The Commission further observed that since the issue of composite scheme is under consideration of the Hon`ble Supreme Court, the petition shall be taken up after the issue is decided by the Hon`ble Supreme Court.

3. The Commission directed to adjourn the matter *sine die* with liberty to the petitioner and the respondent to mention the petition for hearing as and when the issue of composite scheme is decided by the Hon`ble Supreme Court.

By order of the Commission

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