

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 253/MP/2017
alongwith IA No. 87/2017**

Subject : Petition seeking surrender/ relinquishment of LTA of 513 MW (149 MW in WR and 364 MW in NR) out of the total LTA quantum of 683 MW granted under the Bulk Power Transmission Agreement dated 24.2.2010.

Petitioner : SKS Power Generation (Chhatisgarh) Limited (SKSPGL).

Respondent : PGCIL.

Date of hearing : 21.12.2017

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

Parties present : Shri Matrugupta Mishra, Advocate, SKSPGL.
Shri Deep Rao, Advocate, PGCIL
Ms. Jyoti Prasad, PGCIL

Record of Proceedings

Learned counsel for the petitioner mentioned the matter and submitted that the present petition has been filed seeking relinquishment of LTA of 513 MW out of the total LTA quantum of 683 MW granted to it under the Bulk Power Transmission Agreement dated 24.2.2010 without any liability upon the petitioner. Learned counsel for the petitioner further submitted that the petitioner has also filed an Interlocutory Application (IA) seeking ad interim ex parte order for restraining PGCIL from taking any coercive action against the petitioner pursuant to the letters dated 29.9.2017 and 16.10.2017 issued by PGCIL till the pendency of the present petition.

2. After hearing the learned counsel for the petitioner, the Commission directed to issue notice to the respondent on the petition and IA.

3. Learned counsel appearing for PGCIL accepted the notice on the petition and IA and requested for time to file reply to the petition.

4. The Commission directed the petitioner to serve the copy of the petition and IA on the respondent, immediately, if not served already. The commission directed the respondent to file its reply on affidavit by 28.12.2017 with an advance copy to the petitioner, who may, file its rejoinder, if any, by 8.1.2018. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.



5. Learned counsel for the petitioner submitted that the Hon'ble High Court of Delhi vide its order dated 18.12.2017 in WP (C) No. 11258 of 2017 filed by the petitioner directed PGCIL not to take any coercive measures against the petitioner for a period of two weeks from the date of the said order and the Commission to consider the request of the petitioner for listing of the present petition on urgent basis. Learned counsel further submitted that in case, the present petition is listed after fifteen days of the said order of the Delhi High Court, the Commission may consider to extend the interim protection granted by the Delhi High Court.

6. The Commission directed PGCIL not to take any coercive measures till the next date of hearing.

7. The petition shall be listed for hearing on 9.1.2018.

By order of the Commission

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

