

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

I.A. No. 23/2018 in Petition No.119/MP/2017

Subject : Petition under Section 79 of the Electricity Act, 2003 and in the matter of the Power Purchase Agreement dated 8.1.2011 ("PPA") entered into between NTPC Vidyut Vyapar Nigam Limited and Rajasthan Sun Technique Energy Private Limited and in the matter of extension of Scheduled Commissioning Date (SCoD).

Date of hearing : 5.7.2018

Coram : Shri P.K. Pujari, Chairperson
Shri A.K. Singhal, Member
Dr. M.K. Iyer, Member

Petitioner : Rajasthan Sun Technique Energy (P) Ltd. (RSTEPL)

Respondents : NTPC Vidyut Vyapar Nigam Ltd. and Others

Parties present : Shri Hasan Murtaza, Advocate, RSTEPL
Shri Manoj Pongde, RSTEPL
Shri Hemraj Sharma, RSTEPL
Shri Shubham Arya, Advocate, NVVNL
Ms. Poorva Saigal, Advocate, NVVNL
Ms. Anushree Bardhan, Advocate, NVVNL

Record of Proceedings

Learned counsel for the Petitioner submitted that the Petitioner has filed an Interlocutory Application (IA) for seeking amendment of the petition. However, despite notice no reply has been filed by the respondent.

2. Learned counsel for NVVNL submitted that NVVNL has no objection to the amendment of the petition and would not file its reply to the IA. Learned counsel for NVVNL further submitted that NVVNL would make its submissions during the course of hearing.

3. After hearing the learned counsels for the Petitioner and NVVNL, the Commission directed NVVNL not to encash the Performance Bank Guarantee given by the Petitioner and Petitioner was directed to keep the Performance Bank Guarantee valid till the next date of hearing plus three months and claim period in line with the terms and conditions of its PPA. Accordingly, the Commission disposed of the present IA.

4. The petition shall be listed for hearing on 16.10.2018.

By order of the Commission

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