

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 269/MP/2018

Subject : Petition under Section 142 of the Electricity Act, 2003 for non-compliance of direction dated 28.9.2017 in Petition No. 97/MP/2017.

Date of Hearing : 20.12.2018

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

Petitioner : Adani Power (Mundra) Limited

Respondents : Uttar Haryana Bijli Vitran Nigam Limited & Ors.

Parties present : Ms. Poonam Verma, Advocate, APML
Ms. Abiha Zaidi, Advocate, APML
Shri Tarul Sharma, Advocate, APML
Shri Jignesh Langalia, APML
Shri M.G. Ramachandran, Advocate, Haryana Utilities
Ms. Ranjitha Ramachandran, Advocate, Haryana Utilities

Record of Proceeding

At the outset, learned counsel for the Petitioner submitted that during the hearing held on 15.11.2018, the Commission had decided that the matter shall be listed for hearing after the disposal of the Review Petition No. 24/RP/2018. Learned counsel for the Petitioner further submitted that the Commission vide its order dated 3.12.2018 has disposed of the Review Petition No. 24/RP/2018. Learned counsel submitted that since, no relief has been granted in the Review Petition, the Respondents may be directed to make the payment withheld on the issue of Inter Plant Transfer of coal.

2. Learned counsel for the Haryana Discoms submitted that the Petitioner has only raised provisional bill and the information sought by the Haryana Discoms vide email dated 10.7.2018 has not been submitted by the Petitioner. Learned counsel for the Haryana Discoms submitted that the Commission in Para 47 of the order dated 31.5.2018 in Petition No. 97/MP/2017 had directed the Petitioner to obtain and provide to the Haryana Utilities certificate from Mahanadi Coalfield Ltd (MCL) about the actual availability and actual supply of domestic coal against the FSA dated 9.6.2012 during each of the contract years, namely, 2013-14, 2014-15, 2015-16 and 2016-17. However, the same has not been submitted by the Petitioner so far.

3. Learned counsel for the Petitioner submitted that the Respondents themselves had submitted MCL certificates in the Review Petition No. 24/RP/2018 before the Commission and the Petitioner has responded to the email of the Respondents.

4. After hearing the learned counsels for both the parties, the Commission directed the Petitioner to raise the final bill as per the directions of the Commission in Petition 97/MP/2018 along with the relevant information and documents within seven days. The Commission directed the respondents to examine the bills submitted by the Petitioner and submit their submission within a week thereafter.

5. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

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