

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 331/MP/2018**

Subject : Petition for recovery of unpaid dues and implementation of orders dated 31.8.2017 in Petition No. 28/MP/2016 read with order dated 20.3.2018 in Petition No. 192/MP/2016 and order dated 26.12.2017 in Petition No. 152/GT/2015 for (a) recovery of unpaid bills and imposition of late payment surcharge thereon and (b) recovery of ash disposal expenses

Date of Hearing : **12.12.2018**

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

Petitioner : Maithon Power Limited

Respondent : Damodar Valley Corporation

Parties present : Shri Amit Kapur, Advocate, MPL  
Shri Ashutosh K. Srivastava, Advocate, MPL  
Shri Anirban Das, MPL  
Shri M.G.Ramachandran, Advocate, DVC  
Ms. Ranjitha Ramachandran, Advocate, DVC  
Shri Abhay Kumar, Tata Power  
Shri Pankaj Prakash, Tata Power

**Record of Proceedings**

The Petitioner, MPL has filed this Petition seeking implementation of the Commission's order dated 31.8.2017 in Petition No. 28/MP/2016 read with order dated 20.3.2018 in Petition No. 192/MP/2016 and order dated 26.12.2017 in Petition No. 152/GT/2015 *inter alia* regarding recovery of unpaid bills for the period 1.9.2011 to 31.3.2017 & imposition of Late Payment Surcharge (LPSC) thereon and recovery of ash disposal expenses.

2. During the hearing, learned counsel for MPL submitted that pursuant to order dated 20.3.2018 in Petition No. 192/MP/2016, MPL claimed receivable of ₹123.79 crore along with LPSC from the Respondent, DVC, vide bill dated 1.10.2018. However, DVC vide letter dated 25.9.2018 informed the Petitioner that the total amount payable / receivable by DVC due to tariff revision of the Petitioner, MPL for the periods 2011-14 & 2014-17 would be calculated and adjusted from the monthly energy bill of the Petitioner. He further submitted that despite the allowance of ash disposal expenses in order dated 26.12.2017, DVC refused to pay the same on the ground that no method of recovery was specified in the said order. Accordingly, learned counsel prayed that the relief sought for in the Petition may be allowed.

3. The learned counsel for the Respondent, DVC accepted the notice and prayed for grant of time to file reply in the matter.



3. After hearing the learned counsels for the Petitioner and the Respondent, the Commission admitted the Petition and directed to issue notice to the Respondent.

4. The Commission also directed the Petitioner to serve copy of the Petition on the Respondent, if not already served, immediately. The Commission directed the Respondent to file its reply by **28.12.2018**, with advance copy to the Petitioner, who may file its rejoinder, if any, by **15.1.2019**. Pleadings shall be completed by the parties prior to the date of hearing.

5. Matter shall be listed for hearing in due course for which separate notice shall be issued to the parties.

**By order of the Commission**

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

