

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

IA. No. 41/2018 in Petition No.129/MP/2017

Subject : Application under Section 94 of the Electricity Act, 2003 for recall/
modification of the order dated 10.4.2018.

Date of hearing : 31.5.2018

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

Petitioner : Simhapuri Energy Limited (SEL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Parties present : Shri Matrugupta Mishra, Advocate, SEL
Shri Hemant Singh, Advocate, SEL
Shri Nishant Kumar, Advocate, SEL
Ms. Shikha Ohri, Advocate, SEL
Ms. Ankita Bafna, Advocate, SEL
Ms. Suparna Srivastava, Advocate, SEL
Ms. Sanjna Dua, Advocate, PGCIL
Shri J. Mazumder, PGCIL
Ms. Jyoti Prasad, PGCIL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Interlocutory Application (IA) has been filed for modification of RoP dated 10.4.2018 directing the Petitioner to open the LC qua the non-relinquished LTA quantum. Learned counsel for the Petitioner further submitted that pursuant to the Commission's direction dated 10.4.2018 the Petitioner approached the Hon'ble Appellate Tribunal for Electricity. The APTEL vide its order dated 11.5.2018 in IA No. 558/2018 in DFR No.1660 of 2018 granted liberty to the Petitioner to approach the Commission for modification of the RoP dated 10.4.2018.

2. Learned counsel for PGCIL submitted that the said appeal filed before the APTEL was withdrawn by the Petitioner wherein the Petitioner sought liberty to approach the Commission. Learned counsel for PGCIL further submitted that as on date ₹155 crore is outstanding against the Petitioner towards the transmission charges and despite the Commission's direction dated 10.4.2018, the Petitioner has not opened the LC. Learned counsel for PGCIL requested the Commission to direct the Petitioner to comply with directions of the Commission dated 10.4.2018.

3. After hearing the learned counsels for the Petitioner and the respondent, the Commission admitted the IA and issued notice to the respondent.

4. The Commission directed the Petitioner to serve copy of the IA on the respondent immediately, if not served already. The respondent was directed to file its reply, by 15.6.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 30.6.2018. 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. The Commission directed the Petitioner to comply with the Commission's directions dated 10.4.2018.

6. The IA shall be listed for hearing on 10.7.2018 alongwith the petition.

By order of the Commission

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