

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 183/MP/2019

Subject : Petition under Section 79(1)(b) and 79 (1)(f) of the Electricity Act, 2003 seeking adjudication of disputes arising out of the Agreement for Power Procurement executed between Petitioner and Respondent No. 2 to 5.

Petitioner : Jindal India Thermal Power Limited

Respondents : Railway Energy Management Company Limited & Ors.

Date of Hearing : 23.7.2019

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

Parties present : Shri Venkatesh, Advocate, JITPL
Shri Buttan, Advocate, JITPL
Shri Pulkit Agarwal, Advocate, REMCL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed inter-alia for seeking direction to the Respondents No.2 to 5 to return the Performance Security of Rs.23.90 Crore submitted through Bank Guarantee. Learned counsel requested the Commission to issue notice to the Respondents.

2. Learned counsel for the Respondents accepted notice and requested for time to file reply.
3. After hearing the learned counsels for the Parties, the Commission admitted the Petition and directed to issue notice to the Respondents.
4. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately, if not served already. The Respondents were directed to file their replies by 14.8.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 30.8.2019. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.
5. Learned counsel for the Petitioner requested to restrain the Respondents from encashing the Bank Guarantee. The Commission directed the Respondents not to take any coercive measure against the Petitioner. Accordingly, the Petitioner was directed to keep alive the Bank Guarantee.
6. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**