

**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 26.12.2017 dated 20.3.2018 in Petition No. 192/MP/2016 and order dated 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 : 12.3.2019

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

Petitioner : Maithon Power Limited

Respondent : Damodar Valley Corporation

Parties present : Shri Amit Kapur, Advocate, MPL
Shri Pramod Singh, Advocate, MPL
Shri Vivek Kumar, Advocate, MPL
Shri Akshat Jain, Advocate, MPL
Shri Raghav Malhotra, Advocate, MPL
Shri Pankaj Prakash, MPL
Ms. Anushree Bardhan, Advocate, DVC
Ms. Tania Sareen, Advocate, DVC
Ms. Poorva Saigal, Advocate, DVC

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed for implementation of the order dated 31.8.2017 in Petition No. 208/MP/2016, order dated 20.3.2018 in Petition No. 192/MP/2016 and order dated 26.12.2017 in Petition No. 152/GT/2015. Learned counsel submitted that the issue raised in the petition pertains to recovery of unpaid bills for the period September 2011 to December 2017, imposition of late payment surcharge on the bills raised on DVC regarding DVC's outstanding amounts for the period September 2011 to December 2017 and recovery of ash disposable expenses.

2. Learned counsel for respondent submitted that all payments have been made as per the decision of the Commission. As regards the late payment surcharge, learned counsel relied upon the Hon'ble Supreme Court judgment in the case of Nabha Power Limited Vs. Punjab State Power Corporation Limited and another {(2018) 11 SCC}.

3. After hearing the learned counsel for the parties, the Commission reserved order in the Petition.

By order of the Commission

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