

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 38/MP/2016 alongwith
IA No. 6/2018**

Subject : Petition under Section 79(1) (c) read with 79(1) (f) and 79 (1) (k) of the Electricity Act, 2003 inter alia seeking a declaration that the factors/ events namely delay in forest clearance of land for main plant cancellation of allocated coal block to the Petitioner, non-signing of Fuel supply agreement delay in acquisition /procurement of land for main plant, delay in approval of land for Ash Pond by State of Odhisa, delay in clearance for construction of dedicated transmission line from Ministry of Power in the construction of the 2 x 660 MW Coal based thermal Power Plant located in Dhenkenal district Odisha for Force majeure events under BPTA dated 24.2.2010 seeking extension of time period for achieving the Commercial Operation date of the project and other consequential reliefs under the BPTA dated 24.2.2010.

Date of Hearing : 4.4.2019

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

Petitioner : Lanco Babandh Power Ltd. (LBPL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Parties present : Shri Deepak Khurana, Advocate, LBPL
Shri Vinnet Tayal, Advocate, LBPL
Shri Harpreet Singh Walia, LBPH
Shri Deep Rao, Advocate, PGCIL

Record of Proceeding

Learned counsel for the Petitioner sought permission to file Interlocutory Application for amendment to the Petition during the course of the day to bring the relevant documents on record which was allowed by the Commission.

2. Learned counsel for PGCIL submitted that since the Commission in its order dated 8.3.2015 in Petition No. 92/MP/2015 has crystalized the relinquishment charges, the Petitioner should file fresh Petition. Learned counsel requested for three weeks time to file reply to the IA.

3. After hearing the learned counsels for the parties, the Commission directed the Petitioner to serve copy of the IA on the respondent immediately. The Respondent was directed to file its reply, on affidavit by 30.4.2019 with an advance copy to the Petitioner,

who may file its rejoinder, if any, on or before 17.5.2019. 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.

4. The Petition and IA 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)