

**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 E. 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 : 7.2.2019

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 Mannat Waraich, Advocate, LBPL
Shri Sujit Ghosh, Advocate, LBPH
Shri Deep Rao, Advocate, PGCIL
Ms. Jyoti Prasad, PGCIL

Record of Proceeding

Learned counsel for the Petitioner submitted that after filing of the present Petition, PGCIL terminated the Long Term Access Agreement and Transmission Service Agreement and the lenders have approached the National Company Law Tribunal (NCLT) under Section 14 of the Insolvency and Bankruptcy Code, 2016. NCLT has admitted the Petition and a Resolution Professional has been appointed in the matter. Learned counsel submitted that permission may be granted to place on record certain important documents within two weeks on behalf of the Resolution Professional

2. The Commission directed the Petitioner to file the documents on affidavit, by 25.2.2019 with an advance copy to the Respondent. The Commission directed that due date of filing the documents should be strictly complied with. No extension shall be granted on that account.

3. The Petition 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)**