

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 38/MP/2016 along with IAs No. 6/2018 and 36/2019**

Subject : Petition under Sections 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, 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 Odisha, delay in clearance of railway line from Eastern Coast Railway, Odisha, delay in clearance for construction of dedicated transmission line from Ministry of Power in construction of the 2x660 MW coal based Thermal Power Plant located in Dhenkenal, District Odisha as Force majeure events under BPTA dated 24.2.2010 and seeking extension of time period for achieving the Commercial Operation Date of project and other consequential reliefs under the BPTA dated 24.2.2010.

Petitioner : Lanco Babandh Power Limited

Respondents : Power Grid Corporation of India Limited

Date of Hearing : 21.1.2020

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

Parties Present : Shri Vineet Tayal, Advocate, Lanco  
Shri Sitesh Mukherjee, Advocate, PGCIL  
Ms. Hareet Kuar, Advocate, PGCIL  
Shri Arjun Agarwal, Advocate, PGCIL  
Shri Aryaman Saxena, PGCIL  
Shri Dwaidayan Sen, PGCIL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that NCLT has passed the order regarding liquidation of the Petitioner's company. Learned counsel sought time to file Vakalatnama on behalf of the Liquidator and requested to adjourn the matter.

2. Learned counsel for PGCIL objected the same and submitted that since the LTA granted to the Petitioner has already been relinquished and TSA has been cancelled, the Petition has become infructuous.



3. The Commission directed the Petitioner to file Vakalatnama on behalf of the Liquidator on or before 27.1.2020.

4. The Petition and IAs shall be listed for hearing in the month of February, 2020

**By order of the Commission**

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

