

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 432/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Power Purchase Agreement dated 7.8.2007 seeking compensation on account of increased cost incurred by Sasan Power Limited consequent to default of Procurers.

Petitioner : Sasan Power Limited (SPL)

Respondents : M.P Power Management Company Limited (MPPMCL) and Ors.

Date of Hearing : 25.2.2020

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

Parties present : Shri Vishrov Mukerjee, Advocate, SPL
Shri Rohit Venkat, Advocate, SPL
Shri Abhimanyu Das, SPL
Shri Nitin Kala, Advocate, TPDDL
Ms. Shefali Sobti, TPDDL
Shri Rajiv Srivastava, Advocate, UPPCL
Shri G. Umamathy, Advocate, MPPMCL
Ms. Vaishnavi, Advocate, MPPMCL
Shri M. G. Ramachandran, Sr. Advocate, Rajasthan Discoms
Ms. Poorva Saigal, Advocate, Rajasthan Discoms
Ms. Tanya Sareen, Advocate, Rajasthan Discoms

Record of Proceedings

Learned counsel for the Petitioner submitted that pursuant to the liberty granted by the Commission in its order dated 6.9.2019 in Petition No. 131/MP/2018, the present Petition has been filed seeking compensation on account of increase in cost incurred by the Petitioner consequent to various breaches/defaults committed by the Procurers, namely, delay in handing over possession of land for Power Station and water intake pipeline, delay in issuance of notice under Section 9 of the Land Acquisition Act, 1894 in respect of land for fuel transportation system, Moher and Moher-Amlohri Extension coal block and Chhatrasal coal block, delay in obtaining Forest Clearance for Power Station & Site Clearance for the coal blocks and delay in providing inter-connection and transmission facility for the Project. Learned counsel for the Petitioner requested to issue notice to the Respondents.

2. Learned senior counsel for the Rajasthan Discoms and learned counsel for MPPMCL submitted that the Respondents have preliminary objection towards the instant Petition and requested for three weeks' time to file their reply.



3. After hearing the learned senior counsel and the learned counsels for the parties, the Commission directed to issue notice to the Respondents. The Respondents were directed to file their preliminary objections on affidavit by 18.3.2020 with advance copy to the Petitioner, who may file its rejoinder, if any, by 3.4.2020. The Commission directed that the due date for filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The Petition shall be listed for hearing in due course for which separate notice shall be issued to the parties.

By order of the Commission

**(T.D. Pant)
Deputy Chief (Legal)**

