

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.247/MP/2023

Subject : Petition under Section 79 of the Electricity Act, 2003 seeking directions for payment of compensation towards allowed Change in Law events (in terms of supplementary invoices raised by GMR Warora Energy Limited) and execution/implementation of Orders passed by this Commission in terms of Judgment dated 03.03.2023 passed in Civil Appeal No. 684 of 2021 and Judgment dated 20.04.2023 passed in Civil Appeal No. 11095 of 2018 & Batch, and order dated 03.07.2023 and 12.07.2023 in MA No. 1325 of 2023 in Civil Appeal No. 39 of 2021 and Order dated 14.07.2023 in MA No. 1479 of 2023 in Civil Appeal No. 39 of 2021 and initiation of proceedings under Section 142 of the Electricity Act, 2003 against DNH and DD Power Corporation Limited in relation thereto.

Date of Hearing : **12.9.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : GMR Warora Energy Limited (GWEL)

Respondent : DNH and DD Power Corporation Limited (DNHPCL)

Parties Present : Shri Yashawi Kant, Advocate, GWEL
Ms. Juhi Senguttuvan, Advocate, GWEL
Shri Anand Ganesan, Advocate, DNHPCL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter alia*, seeking directions for payment of compensation towards allowed Change in Law events (in terms of supplementary invoices raised by the Petitioner) and execution/ implementation of various Orders passed by this Commission in terms of the Hon'ble Supreme Court's Judgment dated 3.3.2023 passed in Civil Appeal No. 684 of 2021 and Judgment dated 20.4.2023 passed in Civil Appeal No. 11095 of 2018 & Batch, and order dated 3.7.2023 and 12.7.2023 in MA No. 1325 of 2023 in Civil Appeal No. 39 of 2021 and Order dated 14.7.2023 in MA No. 1479 of 2023 in Civil Appeal No. 39 of 2021.

2. Learned counsel for the Respondent submitted that, as per the Respondent, all the Change in Law compensation in terms of orders referred to by the Petitioner has already been paid by the Respondent. Learned counsel also added that, in connection with the various claims/counterclaims between the parties, a reconciliation process is already underway . Learned counsel for the Petitioner also confirmed that the parties are engaged in the reconciliation process to settle the

outstanding claims/dues. Learned counsel for the Petitioner also urged that, in the meanwhile, the present Petition may be admitted.

3. Considering the submissions made by the parties, the Commission directed as under:

(a) Admit.

(b) Parties to file the outcome of the reconciliation process as underway between them, on affidavit, within four weeks.

(c) Parties may seek the liberty to file their reply/rejoinder, thereafter, only on the surviving issues/claims, if any.

4. The Petition will be listed for hearing on **17.12.2023**.

By order of the Commission

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