

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 338/MP/2022

- Subject : Petition under Section 79(1)(b) and Section 79(1)(f) of the Electricity Act, 2003 read with Article 14.3.1 of the Case-1 long-term Power Purchase Agreement dated 27.11.2013 read with Addendum No. 1 dated 20.12.2013, seeking refund of the amount wrongfully deducted by Tamil Nadu Generation and Distribution Corporation Limited along with the applicable Carrying Cost, towards the 'Change in Law' compensation payable to Dhariwal Infrastructure Limited for supplying 100 MW Contracted Capacity from Unit 2 of its 2 x 300 MW Coal based thermal generating station located at Tadali, Chandrapur in the State of Maharashtra to Tamil Nadu Generation and Distribution Corporation Limited.
- Date of Hearing : 13.4.2023
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Dhariwal Infrastructure Limited (DIL)
- Respondent : Tamil Nadu Generation and Distribution Corp. Ltd.
(TANGEDCO)
- Parties Present : Shri Sanjay Sen, Sr. Advocate, DIL
Ms. Divya Chaturvedi, Advocate, DIL
Shri Ruth Elwin, Advocate, DIL
Shri Aveek Chatterjee, DIL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed seeking refund of the amount wrongfully deducted by the Respondent, TANGEDCO along with the applicable carrying cost to the tune of Rs. 35.98 crore towards compensation under Change in Law events payable to the Petitioner in respect of supply of 100 MW contracted capacity to the Respondent for the period between December, 2015 and March, 2022. Learned senior counsel further referred to the Petition and briefly narrated the issues involved in the matter.

2. After hearing the learned senior counsel for the Petitioner, the Commission ordered as under:

- (a) Admit. Issue notice to the Respondents.
- (b) The Petitioner to serve copy of the Petition on the Respondents immediately, if not already served and the Respondents to file their reply within three weeks with copy to the Petitioner who may file its rejoinder within three weeks thereafter.

(c) Parties to comply with the above direction within the stipulated timelines and no extension of time shall be granted.

3. The Petition shall be listed for hearing on 19.7.2023.

By order of the Commission

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