

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.53/MP/2023 along with IA No. 11/2023

Subject : Petition under Section 79 of Electricity Act, 2003, including Sections 79(1)(b) and 79(1)(f) read with the provisions of Power Purchase Agreement dated 17.05.2021 executed between the Petitioners and the Respondent No. 1, Teesta Urja Limited seeking setting aside of the letter dated 30.01.2023 issued by Respondent No. 1 purportedly under Clause 19.2 of the Power Purchase Agreement conveying its intention to terminate the aforesaid agreement and its consequential actions thereof.

Date of Hearing : **11.8.2023**

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

Petitioner : Uttar Pradesh Power Corporation Limited (UPPCL) & Ors.

Respondents : Teesta Urja Limited & Anr.

Parties Present : Shri Sitesh Mukherjee, Advocate, UPPCL
Shri Vidhan Vyas, Advocate, TUL
Shri Jaideep Lakhatia, TUL

Record of Proceedings

Learned counsel for the Petitioners submitted that the Respondent, Teesta Urja Limited (TUL), had filed an Appeal No. 556 of 2023 before the Appellate Tribunal for Electricity (the APTEL) challenging the interim order dated 8.6.2023 passed by the Commission in IA No. 11/2023. The APTEL, vide its order dated 19.6.2023 granted an interim stay of the impugned order dated 8.6.2023 till 10.7.2023, on the condition that TUL continues to inject power into the National Grid for a period of three weeks and does not enter into any third party agreements, to the extent of the capacity contracted with UPPCL during the said period of three weeks. Learned counsel added that the matter was further listed on 7.7.2023 and the APTEL, after hearing the parties, has reserved the order in the matter. Learned counsel submitted that the present Petition may be adjourned for the month of September, 2023

2. The Petition shall be listed for hearing on **11.10.2023**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)