

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.61/MP/2023

- Subject : Petition under Section 79 including Section 79(1)(b), 79(1)(f) and 79(1)(k) of the Electricity Act, 2003 for seeking recovery of (i) delayed payment interest towards failure of the Respondent No. 1 to pay the invoices/ bills for supply of power within the stipulated contractual timeframe; and (ii) compensation alongwith interest towards failure of the Respondent No. 1 to off-take the minimum quantum of power in terms of the short-term contracts for the relevant period.
- Date of Hearing : 10.5.2023
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : IL&FS Tamil Nadu Power Company Limited (ITPCL)
- Respondents : NTPC Vidyut Vyapar Nigam Limited and Anr.
- Parties Present : Shri Hemant Singh, Advocate, ITPCL
Shri Chetan Garg, Advocate, ITPCL
Ms. Lavanya Panwar, Advocate, ITPCL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking recovery of outstanding amount to the tune of Rs. 17.93 crore which comprises of (i) delayed payment interest towards failure of Respondent No.1 to pay the invoices/bills for supply of power within the stipulated contractual timeframe and (ii) compensation along with interest towards failure of Respondent No.1 to off-take the minimum quantum of power in terms of the short-term contracts for relevant period.

2. After hearing the learned 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 and the Respondents to file their reply, if any, within six weeks with copy to the Petitioner who may file its rejoinder, within six weeks thereafter.
- (c) Parties to comply with the above directions within the specified timeline and no extension of time shall be granted.

3. The Petition shall be listed for hearing on 13.9.2023.

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