

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.94/MP/2023

Subject : Petition under Section 79(1)(f) read with Section 19 of the Electricity Act, 2003 read with Regulation 9, 19 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading license and other related matters) Regulations, 2020 seeking recovery of penalty for less return of power by the Respondents as per Banking Agreements executed between the Petitioner and the Respondents and seeking revocation of the inter-State trading license granted to Respondent No.1.

Petitioner : Kreate Energy (I) Private Limited (KEIPL)

Respondents : Saranyu Power Trading Private Limited (SPTPL) & Anr.

Petition No.277/MP/2022

Subject : Petition under Section 79(1)(f) read with Section 19 of the Electricity Act, 2003 read with Regulations 9, 19 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Trading Licence and other related matters) Regulations, 2020 seeking recovery of penalty for less return of power by the Respondent as per the Banking Agreement dated 29.3.2022 and seeking revocation of the interstate trading licence granted to Svaryu Energy Limited (formerly Refex Energy Limited).

Petitioner : Haryana Power Purchase Centre (HPPC)

Respondent : Svaryu Energy Limited (SEL)

Petition No.278/MP/2022

Subject : Petition under Section 79(1)(f) read with Section 19 of the Electricity Act, 2003 read with Regulations 9, 19 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Trading Licence and other related matters) Regulations, 2020 seeking recovery of penalty for less return of power by the Respondent as per the Banking Agreement dated 17.3.2022 and seeking revocation of the interstate trading licence granted to Arunachal Pradesh Power Corporation Private Limited.

Petitioner : Haryana Power Purchase Centre (HPPC)

Respondents : Arunachal Pradesh Power Corporation Pvt. Limited (APPCPL)



Petition No.282/MP/2022

Subject : Petition under Section 79(1)(f) read with Section 19 of the Electricity Act, 2003 read with Regulations 9, 19 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Trading Licence and other related matters) Regulations, 2020 seeking recovery of penalty for less return of power by the Respondent as per the Banking Agreement dated 29.3.2022 and seeking revocation of the interstate trading licence granted to Kreate Energy (I) Private Limited (formerly Mittal Processors Private Limited).

Petitioner : Haryana Power Purchase Centre (HPPC)

Respondent : Kreate Energy (I) Private Limited

Petition No.265/MP/2022 along with IA No.63/2023

Subject : Petition under Section 79(1)(c) and (f) of the Electricity Act, 2003 for adjudication of disputes.

Petitioner : Arunachal Pradesh Power Corporation Pvt. Ltd.

Respondents : Saranyu Power Trading Pvt. Ltd. and Ors.

Date of Hearing : **18.12.2023**

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

Parties Present : Ms. Sonia Madan, Advocate, HPPC
Ms. Swapna Seshadri, Advocate, APPCPL
Shri Anand Ganesan, Advocate, APPCPL
Ms. Ritu Apurva, Advocate, APPCPL
Shri Sarthak Sareen, Advocate, APPCPL
Shri Arijit Maitra, Advocate, IPCL
Shri Amit Kapur, Advocate, SPTPL
Shri Aditya Dubey, Advocate, SPTPL
Shri Shikhar Verma, Advocate, SPTPL
Ms. Prerna Priyadarshini, Advocate, SEL
Shri Atharva Gaur, Advocate, SEL
Shri Adarsh Tripathi, Advocate, KEIPL
Shri Ajitesh Garg, Advocate, KEIPL

Record of Proceedings

At the outset, the learned counsels for KEIPL, SPTPL, APPCPL and HPPC submitted that the parties are in discussion to mutually resolve the issues involved in

Petition Nos. 94/MP/2023, 278/MP/2022, 282/MP/2022 and 265/MP/2022 and accordingly, these matters may be deferred for 8 to 10 weeks.

2. Learned counsel for HPPC submitted that while in Petition Nos. 278/MP/2022 and 282/MP/2022, the Respondent, Trading Licensees, have offered a settlement to HPPC; no such proposal has come forward from the Respondent, Trading Licensee, SEL, in Petition No.277/MP/2022.

3. Learned counsel for the Petitioner, APPCPL, in Petition No. 265/MP/2022, further pointed out that the said matter also involves the issue of encashment of bank guarantee, as furnished by APPCPL, by HPPC.

4. Learned counsel for Respondent, IPCL in Petition No. 265/MP/2022 submitted that although the parties are trying to work out a settlement, which would be in nature of an 'out of court settlement', the Commission would require to first take up the issue of jurisdiction in these matter in the event the attempts for settlement do not fructify.

5. Learned counsel for the Petitioner, KEIPL, in Petition No. 94/MP/2023, also sought liberty to file a rejoinder in the matter.

6. Learned counsel for the Respondent, SEL, in Petition No. 277/MP/2022, submitted that while the Respondent, SEL has not made any written proposal to HPPC, discussions/talks between the parties have happened to settle/resolve the issues involved. Learned counsel submitted that since, in its case, there was no back-to-back arrangement, it is taking longer to identify a source for the return of power and resolve/settle the issues with HPPC. Learned counsel, however, prayed for additional time to mutually resolve the issues involved in the matter with HPPC.

7. Considering the request of the learned counsel for the parties, the Commission deferred the matters for 10 weeks to permit the parties to mutually resolve the issues involved. The parties were also directed to file the outcome of their above efforts, on affidavit, within two weeks thereafter. The Commission also permitted the Petitioner in Petition No.94/MP/2023 to file its rejoinder within two weeks.

8. These matters will be listed for the hearing on **26.4.2024**.

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