

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 112/MP/2014**

Subject : Petition under Section 79 (1) (c) read with Section 142 of the Electricity Act, 2003 for compliance of the Order dated 8.6.2013 passed by the Commission in Petition No. 245/MP/2012.

Date of hearing : 10.2.2015

Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member

Petitioner : Dakshin Gujarat Vij Company Limited

Respondents : Essar Steel India Limited  
Western Regional Load Despatch Centre

Parties present : Ms. Swapna Seshadri, Advocate, DGVCL  
Shri Gopal Jain, Senior Advocate, ESIL  
Shri Alok Shankar, Advocate, ESIL  
Ms. Pragya Singh, POSOCO

**Record of Proceedings**

Learned counsel for the petitioner submitted that the present petition has been filed under Section 142 of the Electricity Act, 2003 for non-compliance of the Commission's order dated 8.6.2013 in Petition No. 245/MP/2012 by Essar Steel India Limited (ESIL). Learned counsel submitted that Writ Petition filed by ESIL has been disposed of by the Hon`ble High Court of Gujarat with certain directions. Pursuant to the judgment of the High Court, ESIL has filed a petition before Gujarat Electricity Regulatory Commission (GERC) which is listed for hearing on 7.3.2015. Learned counsel requested to post the matter any time thereafter.

2. Learned senior counsel for ESIL submitted that the present petition is not maintainable under Section 142 of the Act since dispute pertaining to the cross subsidy surcharge is under consideration of GERC. Learned senior counsel further submitted that Hon`ble High Court of Gujarat has granted some relief to ESIL and issue of adjustment of cross subsidy is under consideration of GERC.

3. After hearing the learned counsel for the petitioner and learned senior counsel for ESIL, the Commission directed to ESIL to file copy of the judgment of Hon`ble High Court of Gujarat by 25.2.2015.

4. The petition shall be listed for hearing 9.4.2015.

**By order of the Commission**

**Sd/-  
(T. Rout)  
Chief (Law)**