

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 252/MP/2017

Subject : Petition under Section 79 (1)(f) of the Electricity Act, 2003 for adjudication of dispute between the Generator and the Transmission Licensee

Date of hearing : 21.12.2017

Petitioner : Greenko Budhil Hydro Power Private Limited

Respondent : Power Grid Corporation of India Limited

Coram : Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Parties present : Shri Venkatesh, Advocate, Greenko
Shri Vikas, Advocate, Greenko
Ms. N. Bhattacharya, Advocate, Greenko

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* to set aside the impugned letter dated 14.11.2017 issued by PGCIL directing the Petitioner to pay the outstanding dues being a successor of Himachal Sorang Power Ltd. (HSPL). Learned counsel for the Petitioner further submitted that the Petitioner and its Group Companies are not liable to pay the transmission charges concerning HSPL as Greenko and HSPL are two separate legal entities. Learned counsel submitted that as per Section 9 of the Companies Act, 2013, such entities cannot be held responsible for each other as there is no commonality of shareholders.

2. Learned counsel for the Petitioner requested the Commission to direct PGCIL not to take any coercive measure till the next date of hearing. The Commission declined to issue any direction in this regard without hearing the respondent.

3. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the respondent.

4. The Commission directed the Petitioner to serve copy of the Petition on the respondent immediately, if not served already. The Commission directed the respondent to file its reply, by 24.1.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 18.2.2018. The Commission directed that due date of filing the reply

and rejoinder should be strictly complied with. No extension shall be granted on that account.

5. The Petition shall be listed for hearing on 27.2.2018.

By order of the Commission

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