

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 259//2010
alongwith I.A. No. 41/2017**

Subject : Petition under Section 60 of the Electricity Act, 2003 for issuance of necessary directions (Petition received by way of Remand).

Petitioner : Everest Power Private Limited.

Respondents : Allian Duhangan Hydro Power Limited and Others.

Date of hearing : 27.7.2017

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

Parties present : Shri Abhishek Vats, EPPL
Shri Dushayant K. Mahant, Advocate, ADHPL
Dr. Seema Jain, Advocate, ADHPL
Shri Sumit Garg, ADHPL
Shri Kakali Sengupta, ADHPL
Shri I.P. Singh, HPPTCL
Shri Jafar Alam, Advocate, KPCPL

Record of Proceedings

At the outset, learned counsel for ADHPL submitted that ADHPL had filed a Review Petition No. 1365 of 2017 in Civil Appeal No. 1795 of 2013 before the Hon'ble Supreme Court which was dismissed on 12.7.2017. Learned counsel for ADHPL requested for four weeks time to file a Tariff Petition in terms of the directions of the order dated 26.4.2017 of the Supreme Court and the Commission's order dated 1.6.2011.

2. Learned counsel appearing for Kanchenjunga Power Company Private Limited (KPCPL) submitted that KPCPL has filed the Interlocutory Application (IA) for being impleaded as a party to the present petition as KPCPL is also the user of ADHEP line. Learned counsel further submitted that KPCPL has filed Petition No. 124/MP/2017 and requested the Commission to tag the said petition along with the present petition. The request was accepted by the Commission.

3. Learned counsel for ADHPL objected to the submissions made by learned counsel for KPCPL and submitted that since KPCPL is connected to HPPTCL, the

outcome of the tariff petition to be filed by ADHPL would be applicable on KPCPL, and therefore, KPCPL should not be impleaded as a party to the present petition.

4. The representative of the petitioner objected to the submissions made by learned counsel for KPCPL and requested the Commission not to implead KPCPL as party to the present petition.

5. After hearing the learned counsels and representatives of the parties, the Commission declined to implead KPCPL as party in the remand matter since KPCPL was not a party to the original petition. Accordingly, the Commission disposed of the IA.

6. The Commission directed ADHPL to file the Tariff Petition by 28.8.2017. The Commission directed that due date of filing the Tariff Petition should be strictly complied with. No extension shall be granted on that account.

7. The petition shall be listed for hearing on 14.9.2017.

By order of the Commission

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