

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. : 127/MP/2016**

**Alongwith I.As. Nos. 2/2017, 70/2017, 88/2017, 89/2017 and 27/2018**

Subject : Petition under Section 79 of the Electricity Act, 2003 for adjudication of the matter between the parties in relation to non-release of Bank Guarantee furnished with respect to Long Term Open Access granted to the petitioner.

Date of Hearing : 21.8.2018

Coram : Shri P. K. Pujari, Chairperson  
Shri A. K. Singhal, Member  
Dr. M. K. Iyer, Member

Petitioner : Ind Barath Energy (Utkal) Ltd. (IBEUL)

Respondents : Power Grid Corporation of India Limited (PGCIL)

Parties present : Shri Tushar Srivastava, Advocate, IBEUL  
Shri Shariq Ahmid, Advocate, IBEUL  
Shri M. G. Ramachandran, Advocate, PGCIL  
Ms. Ranjitha Ramachandran, Advocate, PGCIL  
Shri Swapnil Verma, PGCIL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that arguing counsel in the matter is not available due to personal difficulty and requested to adjourn the matter.

2. Learned counsel of PGCIL submitted that the Petitioner in the Petition has prayed for the release of Bank Guarantee. Since, LTA Agreement has already been terminated and BG has been encashed, the Petition has become infructuous.
3. The Commission observed that on the request of the Petitioner, the hearing was adjourned in the past several times and opportunity to argue was granted to the Petitioner. The Commission directed the Petitioner to file its written submissions within 10 days from the issue of RoP.
4. Subject to the above, the Commission reserved the order in the Petition and I.As.

**By order of the Commission**

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