

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.326/MP/2018

Subject :Petition under Sections 79 (1) (c) and (f) of the Electricity Act, 2003 seeking a declaration that the delay in obtaining forest clearance for implementing the 'Additional System Strengthening Scheme for Chhattisgarh IPPS – Part B' is a force majeure event under the TSA dated 19.5.2015 and seeking extension of time period for achieving the commercial operation date of the project.

Date of Hearing : 15.11.2018

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

Petitioner : Raipur RajnandgaonWarora Transmission Limited (RRWTL)

Respondents : Maharashtra State Electricity Distribution Company Ltd. & Others

Parties present :Shri Buddy A. Ranganadhan, Advocate, RRWTL
Shri Raunak Jain, Advocate, RRWTL
Shri Vishvendra Tomar, Advocate, RRWTL
Shri Bhavesh Kundalia, RRWTL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present petition has been filed for seeking a declaration that the delay in obtaining forest clearance for implementing the 'Additional System Strengthening Scheme for Chhattisgarh IPPS – Part B' is a *force majeure* event under the TSA dated 19.5.2015 and for extension of time for achieving the commercial operation date of the project. Learned counsel for the Petitioner requested the Commission to direct the respondents not to take any coercive steps including encashment of Bank Guarantee.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the petition and directed to issue notice to the respondents.

3. The Commission directed the Petitioner to serve copy of the petition on the respondents immediately, if not served already. The respondents were directed to file their replies, by 14.12.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 31.12.2018. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

4. The Commission directed the respondents not to take any coercive measure till the next date of hearing.

5. The petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T. D. Pant)
Deputy Chief (Law)**