

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Date of Hearing: 16.10.2018**

**Review Petition No. 35/RP/2018  
in Petition No.261/TT/2015 alongwith IA No.74/2018**

Subject : Petition for seeking review of order dated 27.5.2016 in Petition No. 261/TT/2015.

Petitioner : MB Power (Madhya Pradesh) Limited (MBPMPL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

**Petition No. 232/MP/2018**

Subject : Petition under Section 79 (1)(f) read with Section 79 (1)(k) of the Electricity Act, 2003 seeking adjudication of dispute arising out of the letters issued by PGCIL dated 2.5.2018, 23.7.2018 and 6.8.2018 which have been issued illegally and arbitrarily and are patently against the scheme of the regulatory framework issued by the Commission.

Petitioner : MB Power (Madhya Pradesh) Limited (MBPMPL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

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

Parties present : Shri Gopal Jain, Senior Advocate, MBPMP  
Shri Sakya Chaudhari, Advocate, MBPMPL  
Ms. Gayatri Aryan, Advocate, MBPMPL  
Shri Anand Kumar Srivastava, Advocate, MBPMPL  
Ms. Samykya Mukku, Advocate, MBPMPL  
Shri Abhishek Gupta, MBPMPL  
Shri Rohit Kumar Gururani, MBPMPL  
Ms. Suparna Srivastava, Advocate, PGCIL  
Shri Tushar Mathur, Advocate, PGCIL  
Ms. Anita A. Srivastava, PGCIL  
Ms. Jyoti Prasad, PGCIL

**Record of Proceedings**

Learned counsel for PGCIL submitted that the Petitioner has filed Petition No. 232/MP/2018 and Review Petition No. 35/RP/2018 on the same issue. The Petitioner either seek review of the order or seek conversion of the bills raised pursuant to the order dated 27.5.2016 in Petition No.261/TT/2015 as both the petitions cannot be maintained simultaneously. Learned counsel requested for time to file its reply on the Review Petition.



2. Learned senior counsel for MBPMPL submitted that in Petition No. 232/MP/2018, the Petitioner is seeking adjudication of dispute arising out of the letter issued by PGCIL dated 6.8.2018 raising bilateral non-PoC bill of Rs.2.87 crore upon the Petitioner towards transmission charges in compliance with the order dated 27.5.2016 in Petition No.261/TT/2015. However, Review Petition No. 35/RP/2018 has been filed for seeking review of order dated 27.5.2016 in Petition No. 261/TT/2015 as MBPMPL was not impleaded as party to the proceedings in the impugned order. Learned senior counsel for MBPMPL requested to list both the petitions for hearing together.

3. After hearing learned senior counsel for MBPMPL and learned counsel for PGCIL, the Commission admitted the Review Petition and directed to issue notice to the respondent.

4. The Commission directed the Review Petitioner to serve copy of the Review Petition on the respondent immediately if already not served. The respondent was directed to file its reply by 31.10.2018 with an advance copy to the Review Petitioner, who may file its rejoinder, if any, on or before 9.11.2018. 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 Commission directed that the interim protection granted vide RoP dated 8.8.2018 in Petition No. 232/MP/2018 shall continue till the next date of hearing.

6. The Commission directed to list Petition No. 232/MP/2018 alongwith Review Petition No.35/RP/2018 for hearing in due course for which separate notice will be issued.

**By order of the Commission**

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