

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 92/MP/2018  
Alongwith I.A. No.15/2018**

Subject : Petition under Sections 79(1)(c) read with 79(1)(f) of the Electricity Act, 2003, *inter-alia*, seeking a direction to Respondent No. 1 to pay a sum of Rs. 112.39 crore, being the financial loss suffered by the Petitioner, on account of delay in commencement of the Long Term Access granted to the Petitioner, due to delay in implementation of the Transmission system falling in the scope of Respondent No. 1's obligations, along with interest on the same till the date of payment of the amount by Respondent No. 1 to the Petitioner.

Date of Hearing : 7.8.2018

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

Petitioner : Shiga Energy Private Ltd. (SEPL)

Respondents : Power Grid Corporation of India Limited and Another

Parties present : Shri Sanjay Sen, Senior Advocate, SEPL  
Shri Deepak Khurana, Advocate, SEPL  
Shri Bimal Agarwal, SEPL  
Shri Nukala Kishore, SEPL  
Ms. Suparna Srivastava, Advocate, PGCIL  
Ms. Sanjna Dua, Advocate, PGCIL

**Record of Proceedings**

Learned senior counsel for the Petitioner submitted that the present petition has been filed *inter-alia* for seeking direction to Respondent No. 1 to pay Rs. 112.39 crore on account of financial loss suffered by the Petitioner due to delay in commencement of the Long Term Access granted to the Petitioner along with interest. Learned senior counsel further submitted that the Petitioner has filed an Interlocutory Application (IA) for seeking direction to refer the present disputes to arbitration under Section 79(1)(f) read with Section 158 of the Electricity Act, 2003. Learned senior counsel requested the Commission to admit the petition and issue notice to the respondents on the petition and on IA.

2. Learned counsel appearing on behalf of PGCIL accepted the notice on behalf of PGCIL and requested for time to file the reply to the petition.

3. After hearing the learned senior counsel for the Petitioner and learned counsel for PGCIL, the Commission admitted the petition and directed to issue notice to the respondents on the petition and on the IA.



4. The Commission directed the Petitioner to serve copy of the petition and IA on the respondents immediately, if not served already. The respondents were directed to file their replies on petition and on IA, by 28.8.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 14.9.2018. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

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

**By order of the Commission**

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