

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 269/MP/2018

Subject : Petition under Section 142 of the Electricity Act, 2003 for noncompliance of direction dated 28.9.2017 in Petition No. 97/MP/2017.

Petitioner : Adani Power (Mundra) Limited (APMuL)

Respondents : Uttar Haryana Bijli Vitran Nigam Limited and Others

Date of Hearing : 19.3.2019

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

Parties present : Shri Amit Kapur, Advocate, APMuL
Ms. Ponam Verma, Advocate, APMuL
Ms. Abiha Zaidi, Advocate, APMuL
Ms. Tanesha Sultan Singh, Advocate, APMuL
Shri Jignesh Langalia, APMuL
Shri Shashank Kumar, APMuL
Shri M.G. Ramachandran, Advocate, Haryana Utilities
Ms. Poorva Saigal, Advocate, Haryana Utilities
Shri Shubham Arya, Advocate, Haryana Utilities
Ms. Tanya Sareen, Advocate, Haryana Utilities

Record of Proceedings

At the outset, learned counsel for the Petitioner submitted that pursuant to the Commission's direction dated 7.2.2019, the Petitioner has furnished the information to the Respondents. However, despite the Commission's direction to the Respondents to process the claims payable to the Petitioner after receiving the above information, the Respondents have not processed the claim of payment till date.

2. Learned counsel for Haryana Utilities objected to the certificate issued by the MCL to the Petitioner and submitted that the certificate submitted by the Petitioner is different from the certificate received by Haryana Utilities from MCL in case of GMR Kamalanga.

3. After hearing the learned counsels for both the parties, the Commission observed that despite the Commission's direction, Haryana Utilities have still not made payment to the Petitioner. The Commission directed the Haryana Utilities to obtain the desired certificate from the coal companies, on or before 27.3.2019 and process the case of the Petitioner to make payment of outstanding dues. In case, Haryana Utilities fail to obtain the desired certificate from the Coal Companies by the above date, they shall make payments of atleast 50% of the outstanding dues based on the available certificate furnished by the Petitioner.

4. The Petition 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)**