

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.282/MP/2019

Subject : Petition under Section 142 of the Electricity Act, 2003 for non-compliance of the order dated 3.12.2018 passed in Petition No. 242/MP/2017 by Power Grid Corporation of India and for issuance of appropriate direction to Power Grid Corporation of India for payment of amount to be refunded after deduction of relinquishment charges from the encashed Bank Guarantee furnished by the Petitioner along with interest.

Petitioner : Aryan MP Power Generation Private Limited (AMPGPL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Date of hearing : 12.12.2019

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

Parties present : Shri Samyak Mishra, Advocate, AMPGPL
Ms. Suparna Srivastava, Advocate, PGCIL
Ms. Sanjana Das, Advocate, PGCIL
Ms. Jyoti Prasad, PGCIL
Shri Swapnil Verma, PGCIL
Shri Ranjit S. Rajput, PGCIL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia*, for declaration that the Respondent has violated the Commission's direction dated 3.12.2018 in Petition No. 242/MP/2017 and for issuance of appropriate direction to the Respondent, Power Grid Corporation of India (PGCIL) for payment of amount to be refunded after deduction of relinquishment charges from the encashed Bank Guarantee along with 9% interest.

2. Learned counsel for the Respondent, PGCIL accepted notice and requested for time to file reply. Learned counsel for the Respondent submitted that in terms of the order dated 3.12.2018 in Petition No. 242/MP/2017, PGCIL has refunded Rs. 27.09 crore from the Bank Guarantee of Rs. 56.10 crore after adjustment of relinquishment charges and other charges of Rs. 24.58 crore and Rs. 4.43 crore respectively. Learned counsel further submitted that as far as payment of interest is concerned, PGCIL has already filed Review Petition No. 16/RP/2019 in which order is reserved.

3. After hearing the learned counsel for the Petitioner and the Respondent, the Commission admitted the Petition and directed to issue notice to the Respondent.

4. The Commission directed the Petitioner to serve copy of the Petition on the Respondent, if not served already. The Respondent was directed to file its reply, by 30.12.2019, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 13.1.2020. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with.

5. The Commission further directed the Respondent, PGCIL to submit the details of adjusted amount of Rs. 4.43 crore by 30.12.2019.

6. The Petition shall be listed for hearing in due course for which separate notice shall be issued to the parties.

By order of the Commission

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