

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 391/MP/2018

Subject : Petition for Procurement of Power dated 13.4.2016 between Northern Railways for Uttar Pradesh and Jindal India Thermal Power Limited read with the Supplementary Agreement dated 8.11.2017.

Petitioner : Indian Railways

Respondent : Jindal India Thermal Power Limited (JITPL)

Date of Hearing : 9.5.2019

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

Parties present : Shri M.G. Ramachandran, Senior Advocate, Indian Railways
Shri Pulkit Aggarwal, Advocate, Indian Railways
Ms. Tanya Sareen, Advocate, Indian Railways
Shri Venkatesh, Advocate, JITPL
Shri Somesh Srivastava, Advocate, JITPL
Shri Anurag Gaur, JITPL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* for seeking declaration that the termination of the PPA dated 13.4.2016 and Supplementary Agreement dated 8.11.2017 by the Respondent vide its letter dated 27.9.2018 is contrary to the Article 19.2 of the PPA. Learned senior counsel further submitted that the Respondent has filed Petition No. 100/MP/2019 on the similar issue and requested to take up the present Petition alongwith the Petition No. 100/MP/2019. Learned senior counsel submitted that the Petitioner has already filed amended memo of parties vide affidavit dated 8.3.2019.

2. Learned counsel for the Respondent requested for time to file reply to the Petition.
3. After hearing the learned senior counsel for the Petitioner and the learned counsel for 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 immediately, if not served already. The Respondent was directed to file its reply by 4.6.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 18.6.2019. 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 present Petition alongwith Petition No.100/MP/2019 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)**