

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 404/MP/2019

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 read with Article 13 of the Power Purchase Agreement dated 22.4.2007 executed between the Petitioner and the Procurers.

Petitioner : Coastal Gujarat Power Limited (CGPL)

Respondents : Gujarat Urja Vikas Nigam Limited (GUVNL) & Ors.

Date of Hearing : 11.12.2019

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

Parties present : Shri Sanjay Sen, Sr. Advocate, CGPL
Ms. Ranjitha Ramachandran, Advocate, GUVNL
Ms. Poorva Saigal, Advocate, GUVNL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking compensation of Rs. 50,91,49,610/- along with interest at the rate of SBAR+ 2% (as defined in the PPA), which has remained unpaid from the Supplementary Invoices raised by the Petitioner on account of the Change in Law events, namely, increase in Service Tax from 12.24% to 14% and subsuming of Service Tax into Integrated Goods and Service Tax from July 2017 to August 2019.

2. Learned counsel for the Respondent No.1, Gujarat Urja Vikas Nigam Limited accepted the notice and requested for four weeks time to file reply.

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

4. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately if not served already. The Respondents were directed to file their replies, by 7.1.2020, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 20.1.2020. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with.

5. 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 (Legal)**

