

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Writ Petition No. 17044 of 2015

Subject : Reference from the Hon'ble High Court of Calcutta under Article 226 of Constitution of India in Writ Petition No. 17044 of 2015 Eastern Coalfields Limited & Anr. V/s Eastern Regional Power Committee and Others.

Date of Hearing : 29.8.2019

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

Petitioner : Eastern Coalfields Limited &Anr.

Respondents : Eastern Regional Power Committee and Others.

Parties present : Shri Kaushtabh Shukla, Advocate, ECL
Shri G. Sengupta, ECL
Shri S. Jana, ECL
SwapnaSeshadri, Advocate, NTPC

Record of Proceedings

At the outset, the Commission observed that the Petitioner was directed vide RoP dated 11.7.2019 to file petition covering all issues and to implead necessary parties as respondents, including PGCIL. After noting that the Petitioner has not filed the hard copies of the Petition, the Commission once again directed the Petitioner to rectify the deficiencies and file proper petition impleading the parties as aforesaid.

2. In response, the learned counsel for the Petitioner submitted that since no relief is claimed against PGCIL, it may not be arrayed as a respondent in the Petition. The Ld. Counsel further submitted that it has e-filed the petition and undertook to file hard copies of the same within 3 days.

3. The Ld. Counsel for Respondent NTPC submitted that since FLTS is an inter-State transmission line, PGCIL may be impleaded as a necessary party. She further submitted that reply to the petition shall be filed within 2 weeks, after the petition is served on them.



4. None was present on behalf of other Respondents ERPC, JBVNL and JUSNL, despite notice.

5. The Commission, after hearing the parties, directed the Petitioner to implead PGCIL as respondent in the matter and serve copy of the petition to the respondent. The Commission also directed that the Petitioner to file the petition along with revised memo of parties, on or before 5.9.2019. The Respondents were directed to file their replies by 19.9.2019, with advance copy to the Petitioner, who may file its rejoinder, if any, by 25.9.2019. The Commission observed that due dates for filing the replies and rejoinder shall be strictly complied with keeping in view the time line given by Hon'ble High Court. No extension of time shall be granted for any reason whatsoever.

6. The Petition shall be listed for hearing on 26.9.2019.

By order of the Commission

Sd/-
(B. Sreekumar)
Deputy Chief (Law)

