

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 119/MP/2017**

- Subject : Petition under Section 79 of the Electricity Act, 2003 and Power Purchase Agreement dated 8.1.2011 entered into between Rajasthan Sun Technique Energy Private Limited and NTPC Vidyut Vyapar Nigam Limited for extension of Schedule Commissioning Date signed between the Petitioner and the Respondent seeking suitable directions for the release of the payment of cumulative amount of Rs. 32,51,77,020/- raised by the Petitioner under its invoice dated November 4, 2016, December 5, 2016, January, 4, 2017, February 4, 2017 and March 4, 2017 for supply of electricity and payment of Late Payment Surcharge as per Article 10.3.3 of the Power Purchase Agreement dated 8.1.2011.
- Petitioner : Rajasthan Sun Technique Energy Private Limited (RSTEPL)
- Respondent : NTPC Vidyut Vyapar Nigam Limited (NVTNL)

**Petition No. 275/MP/2020**

- Subject : Petition under Section 79 of the Electricity Act, 2003 and Power Purchase Agreement dated 8.1.2011 signed between the Petitioner and the Respondent seeking suitable directions for the release of the payment of cumulative amount of Rs. 32,51,77,020/- raised by the Petitioner under its invoice dated November 4, 2016, December 5, 2016, January, 4, 2017, February 4, 2017 and March 4, 2017 for supply of electricity and payment of Late Payment Surcharge as per Article 10.3.3 of the Power Purchase Agreement dated 8.1.2011.
- Petitioner : Rajasthan Sun Technique Energy Private Limited (RSTEPL)
- Respondent : NTPC Vidyut Vyapar Nigam Limited (NVTNL)
- Date of Hearing : 23.6.2020
- Coram : Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member
- Parties present : Shri Buddy Ranganadhan, Advocate, RSTEPL  
Shri Hasan Murtaza, Advocate, RSTEPL  
Shri M. G. Ramachandran, Sr. Advocate, NVTNL



**Record of Proceedings**

The matters were listed for hearing through video conferencing.

2. Learned counsel for the Petitioner submitted that the Petition No. 275/MP/2020 has been filed in pursuance of judgment of the Hon'ble High Court of Delhi dated 19.9.2018 in Arbitration Petition No. 495 of 2018 and OMP (I) (Comm) 124 of 2017 and the liberty granted by the Commission in its order dated 17.12.2019 in Petition No. 378/MP/2018. Learned counsel further submitted that since the pleadings in Petition No. 275/MP/2020 are yet to be completed, the Commission may issue notice to the Respondents therein and may take up both the matters thereafter.
3. Learned senior counsel for the Respondent, NVVNL submitted that the Distribution Companies (in short 'the Discoms') should be impleaded as party to the Petition in Petition No. 275/MP/2020. Learned senior counsel sought four weeks' time to file reply in Petition No. 275/MP/2020.
4. After hearing the learned counsel for the Petitioner and learned senior counsel for the Respondent, NVVNL, the Commission admitted the Petition No. 275/MP/2020 and directed to issue notice to the Respondents.
5. The Commission directed the Respondent, NVVNL, to submit the list of the Discoms to whom the power would be supplied by the Petitioner. The Commission directed the Petitioner to implead the Discoms as party to the Petition No. 275/MP/2020 and to file revised memo of parties by 10.7.2020.
6. The Commission further directed the Petitioner to serve copy of the Petition on Respondents including the Discoms immediately. The Respondents including the Discoms were directed to file their reply by 20.7.2020 with advance copy to the Petitioner, who may file its rejoinder, if any, by 10.8.2020. The due date of filing of reply and rejoinder shall be strictly complied with.
7. Both Petitions shall be listed for hearing together in due course for which separate notice will be issued.

**By order of the Commission**

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

