

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 432/MP/2019**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Power Purchase Agreement dated 7.8.2007 seeking compensation on account of increased cost incurred by Sasan Power Limited consequent to default of Procurers.

Date of Hearing : 11.8.2020

Coram : Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member

Petitioner : Sasan Power Limited (SPL)

Respondents : M.P Power Management Company Limited (MPPMCL) and 13 Ors.

Parties present : Shri Amit Kapur, Advocate, SPL  
Shri Vishrov Mukerjee, Advocate, SPL  
Shri Rohit Venkat, Advocate, SPL  
Shri M. G. Ramachandran, Advocate, HPPC and Rajasthan Discoms  
Ms. Ranjitha Ramachandran, Advocate, HPPC and Rajasthan Discoms  
Ms. Anushree Bardhan, Advocate, HPPC and Rajasthan Discoms  
Shri Mansoor Ali Shoket, Advocate, TPDDL  
Shri Nitin Kala, Advocate, TPDDL  
Ms. Sheniza Farid, Advocate, TPDDL  
Shri Kunal Singh, Advocate, TPDDL  
Shri Rajiv Srivastava, Advocate, UPPCL  
Shri G. Umapathy, Advocate, MPPMCL  
Ms. Pavitra Balakrishnan, Advocate, MPPMCL  
Shri Sakya Chaudhri, Advocate, PSPCL  
Ms. Gaytri Aryan, Advocate, PSPCL  
Shri Nishant Talwar, Advocate, PSPCL  
Shri Anurag Bansal, TPDDL  
Ms. Shefali Sobti, TPDDL



## **Record of Proceedings**

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner advanced extensive arguments and relied on the provisions of the Bid Documents (RfQ and RfP), Power Purchase Agreement and the decisions/judgments of Appellate Tribunal for Electricity and Hon'ble Supreme Court on 'maintainability' and 'merits' of the case. Learned counsel further requested to direct the Respondents to file their reply on 'maintainability' as well as on 'merits' of the case and the Commission may take-up both the issues together.
3. Learned counsel for the Respondent, Punjab State Power Corporation Limited, sought permission to file its reply. Learned counsel submitted that the copy of the reply has already been served on the Petitioner. However, the same is yet to be uploaded on e-filing portal of the Commission.
4. Learned counsel for the Respondent, Uttar Pradesh Power Corporation Limited, requested for time to file reply.
5. After hearing the learned counsel for the Petitioner at length, the Commission directed the Respondents to file their reply on 'maintainability' as well as on 'merits' by 28.8.2020, with advance copy to the Petitioner, who may file its rejoinder, if any, by 11.9.2020. The due date of filing of reply and rejoinder should be strictly complied with.
6. The Petition shall be listed for hearing on maintainability as well as on merits in due course for which separate notice will be issued.

**By order of the Commission**

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

