

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**IA No. 28/2020 in
Petition No.92 /MP/2018 and IA No. 15/2018**

Subject : Application on behalf of the Petitioner praying for listing of the present Petition before a bench not comprising of Shri I. S. Jha, Hon'ble Member.

Date of Hearing : 20.8.2020

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

Petitioner/Applicant : Shiga Energy Private Limited (SEPL)

Respondents : Power Grid Corporation of India Limited (PGCIL) and Anr.

Parties present : Shri Sanjay Sen, Sr. Advocate, SEPL
Shri Deepak Khurana, Advocate, SEPL
Shri Vineet Tayal, Advocate, SEPL
Ms. Suparna Srivastava, Advocate, PGCIL
Shri Tushar Mathur, Advocate, PGCIL
Shri Raghvendra Kumar, Advocate, Govt. of Sikkim
Ms. Jyoti Prasad, PGCIL
Shri Ashok Pal, PGCIL

Record of Proceedings

The matter was heard through video conferencing.

2. Learned senior counsel for the Petitioner submitted that the Petitioner has filed this Interlocutory Application No. 28/2020 praying to list the main Petition before a Bench not comprising of Shri I. S. Jha, Member (CERC) on the ground of apprehension of bias, as Shri Jha was part of the decision making process of the Respondent, PGCIL and that he may have personal knowledge of the issues involved in the main Petition. Learned senior counsel specifically submitted that the Petitioner is not contending any bias but it is only an apprehension.

3. Learned senior counsel sought liberty to place on record a written note on the legal aspect of 'apprehension of biasness' in light of the relevant decisions of the Hon'ble Supreme Court. The request was allowed. The Petitioner was directed to file its note on or before 25.8.2020.



4. Learned senior counsel further submitted that the Commission has the options of dismissing the IA or listing the Petition before a Bench as requested by the Petitioner or adjourning the hearing of the Petition sine die.

5. The Commission observed that members of this Commission have been coming and would continue to come from various organisations of the power sector. However, on becoming member, they function impartially and objectively as expected from them. However, considering the prayer of the Petitioner and options suggested by the learned senior counsel for the Petitioner, the Commission reserved order in the IA.

By order of the Commission

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

