

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 286/MP/2018

Subject : Petition under Section 79 of the Electricity Act, 2003 for execution of orders dated 14.3.2018 passed in Petition No. 13/SM/2017 and 16.3.2018 passed in Petition No. 1/MP/2017; and initiation of proceedings under Section 142 of the Electricity Act, 2003 against Tamil Nadu Generation and Distribution Corporation Limited.

Petitioner : GMR Warora Energy Limited

Respondents : TANGEDCO

Date of Hearing : **11.11.2021**

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

Parties present : Shri Amit Kapur, Advocate, GMRWEL
Shri Vishrov Mukherjee, Advocate, GMRWEL
Ms. Anusha Nagarajan, Advocate, TANGEDCO
Ms. M. Hemalatha, TANGEDCO
Ms. S. Poonkodi, TANGEDCO

Record of Proceedings

Case was called out for virtual hearing.

2. During the hearing, the learned counsel for the Petitioner submitted that in compliance with the directions of the Commission vide ROP of the hearing dated 27.8.2021, the Respondent TANGEDCO has made the payment of Rs.20 crore to the Petitioner. The learned counsel, however, submitted that the balance amount payable by the Respondent to the Petitioner is Rs.49.44 crore (Rs.29.44 crore towards principal amount and Rs.20 crore towards Late Payment Surcharge) and, therefore, the Respondent may be directed to pay the same at the earliest, failing which necessary action may be initiated against the Respondent.

3. In response, the learned counsel for the Respondent submitted that the parties have reconciled the amounts and minutes of the meeting in this regard are to be signed by the parties. The learned counsel, displayed the draft minutes of the meeting (MoM), and pointed out that, out of the total amount of Rs.180 crore (approx.) outstanding till June 2021, the Respondent had made payment of Rs.137 crore (approx.) to the Petitioner. She further submitted that the total amount payable to the Petitioner is Rs.73.65 crore (approx.), which includes the Late Payment Surcharge of Rs.30.47 crore



till October, 2021. The learned counsel, however, prayed that the Respondent may be permitted to make the balance payments in 10 equal monthly installments.

4. The Commission after hearing the parties directed that MOM, duly signed by the parties, which indicate the balance amount till October, 2021 payable by the Respondent, after reconciliation, may be placed on record, on or before 29.11.2021. The Commission also observed that in case of disagreement on the reconciled amount between the parties, the Petitioner and the Respondent may file a separate affidavits on or before 29.11.2021, giving details of the agreed / disagreed amount, with copy to each other.

5. The parties are directed to comply with the above directions within the timeline specified and no extension of time shall be granted. Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

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

