

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
New Delhi**

**Petition No. 298/MP/2018**

- Subject** : Petition seeking adjudication of disputes for claim of fixed charges due to unilateral termination of PPA by WBSEDCL in regard to supply of power from Koderma TPS of DVC- Order dated 13.3.2020 of the Appellate Tribunal for Electricity in Appeal No. 20/2020 (WBSEDCL v DVC).
- Petitioner** : Damodar Valley Corporation
- Respondents** : West Bengal State Electricity Distribution Company Limited
- Date of Hearing** : **23.7.2021**
- Coram** : Shri P.K. Pujari, Chairperson  
Shri I.S. Jha, Member  
Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member
- Parties Present** : Shri M.G. Ramachandran, Senior Advocate, DVC  
Ms. Anushree Bardhan, Advocate, DVC  
Shri Manik Rakshi, DVC  
Shri Debasish Dey, DVC  
Shri Debi Prasad Paitundi, DVC  
Shri Debasish Mondal, DVC  
Shri Samit Mandal, DVC  
Shri Srikanta Pandit, DVC  
Shri Vishrov Mukerjee, Advocate, WBSEDCL

**Record of Proceedings**

Case was called out for virtual hearing.

2. During the hearing, the learned Senior counsel for the Petitioner and the learned counsel for the Respondent made detailed oral submissions on the issue of 'limitation'. They also placed reliance on certain judgments of the Hon'ble Supreme Court, in support of their arguments on the issue of limitation. The Commission directed the parties to upload the copy of the judgments relied upon by them in the matter.

3. The learned counsel for the Respondent sought permission of the Commission to file its written submissions and to bring on record certain affidavits, which it could not file earlier. The learned Senior counsel for the Petitioner submitted that the Respondent may be directed to serve copy of the said written submissions and affidavits to the Petitioner and to grant time to file its response to the same. The request of the parties was accepted by the Commission

4. Accordingly, the Respondent, WBSEDCL is directed to file its affidavits and written submissions by 27.8.2021 after serving copy to the Petitioner, who may file its response if any, by 7.9.2021. No extension of time shall be permitted.



5. Subject to the above, order in the Petition was reserved.

**By order of the Commission**

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

