

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 55/MP/2021

Subject : Petition under Section 79 of the Electricity Act, 2003 for execution of the order dated 15.1.2020 passed by this Commission in Petition No. 63/MP/2019; and initiation of proceedings/appropriate action under Section 142 read with Section 149 of the Electricity Act, 2003 and Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 against the Respondents for non-compliance of the order dated 15.1.2020 passed by the Commission in Petition No.63/MP/2019.

Date of Hearing : 11.11.2021

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

Petitioner : DB Power Limited (DBPL)

Respondents : Rajasthan Urja Vikas Nigam Limited and 10 Ors.

Parties Present : Shri Deepak Khurana, Advocate, DBPL
Shri Vineet Tayal, Advocate, DBPL
Ms. Swapna Seshadri, Advocate, Rajasthan Utilities
Shri Anand K Ganesan, Advocate, Rajasthan Utilities
Shri Ashwin Ramanathan, Advocate, Rajasthan Utilities
Shri Ravi Kishore, Advocate, PTC

Record of Proceedings

Case was called out for virtual hearing.

2. At the outset, the learned counsel for the Respondents, Rajasthan Discoms submitted that the Appellate Tribunal for Electricity ('APTEL') vide judgment dated 20.9.2021 has dismissed both the appeals, namely, Appeal No. 68/2020 filed by the Respondents and Appeal No. 90/2020 filed by the Petitioner herein. However, the Respondents have filed a Civil Appeal bearing No. 6668/2021 in the Hon'ble Supreme Court against the said judgment and have sought stay on the judgment of the APTEL. The learned counsel further submitted that the Respondents have also moved a mentioning memo in the Hon'ble Supreme Court for urgent listing of the said appeal. Accordingly, the learned counsel requested to defer the hearing of the present matter by four weeks, otherwise, application for stay on the judgment of APTEL would become infructuous.

3. The learned counsel for the Petitioner submitted that as on date, there is no stay on the judgment of the APTEL.

4. Considering the submissions made by the learned counsel for the Petitioner and the Respondents, the Commission decided to adjourn the matter. The Respondents are directed to bring on record the stay order, if any.

5. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

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