

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 129/MP/2021**

**Coram:**

**Shri P.K. Pujari, Chairperson**

**Shri I.S.Jha, Member**

**Shri Arun Goyal, Member**

**Shri P.K.Singh, Member**

**Date of Order: 23<sup>rd</sup> October, 2021**

**In the matter of**

Petition under Section 79(1) (c), 79(1) (f) and 79(1) (k) of the Electricity Act, 2003 before this Commission seeking extension of scheduled date of operationalization of 96 MW LTA granted to Petitioner vide Agreement for long term access without system strengthening dated 17.06.2020 executed between the Petitioner and the Respondent, on account of events beyond the control of the Petitioner.

**And**

**In the matter of**

Madhya Bharat Power Corporation Limited,  
Ground Floor, E-585, Greater Kailash-II,  
New Delhi

**...Petitioner**

Vs.

Power Grid Corporation of India Limited,  
Saudimini, Plot No.2, Sector-29,  
Gurgaon-122 001.

**...Respondent**

**Parties present:**

Shri Matrugupta Mishra, Advocate for the Petitioner

Ms. Ritika Singhal, Advocate for the Petitioner

**ORDER**

The Petitioner, Madhya Bharat Power Corporation Limited, has filed the present Petition with the following prayers:

*“(a) Direct PGCIL to revise the date of operationalization of LTA from 31.01.2021 to 30.04.2021 under the LTA Agreement dated 17.06.2020 on account of events beyond the control of the Petitioner; and*

*(b) In the interim, pass an ad interim ex parte stay of the operation of the letters dated 18.01.2021 and 25.01.2021 issued by Respondent to the Petitioner, being Annexure 20 and 21; and restrain the Respondent from acting upon the said letters dated 18.01.2021 and 25.01.2021 or taking any coercive or precipitative action against the Petitioner.”*

2. Case was called out for virtual hearing on 22.10.2021. The learned counsel for the Petitioner submitted that the project of the Petitioner has achieved COD and evacuating power to the State of Chhattisgarh through the transmission lines of PGCIL. The learned counsel submitted that subsequent to filing of the present Petition, certain developments have taken place. Therefore, the learned counsel sought permission to withdraw the present Petition with liberty to file a fresh substantive Petition. The learned counsel requested to adjust the filing fee paid in the present Petition against the Petition to be filed in future.

3. In view of the submissions of the learned counsel for the Petitioner, the Petitioner is permitted to withdraw the present Petition with a liberty to file a fresh Petition. The filing fees deposited by the Petitioner in respect of the present Petition shall be adjusted against the Petition to be filed by the Petitioner in future in terms of the liberty granted as above.

4. Accordingly, the Petition No. 129/MP/2021 is disposed of as withdrawn.

**Sd/-  
(P.K.Singh)  
Member**

**sd/-  
(I.S.Jha)  
Member**

**sd/-  
(Arun Goyal)  
Member**

**sd/-  
(P.K. Pujari)  
Chairperson**