

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 265/MP/2021**

- Subject : Petition invoking Section 79(1)(c) and (f) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking compensation/ relief for the additional expenditure incurred by the Petitioner during the construction of the Project due to certain Change in Law and Force Majeure events, as per the applicable provisions of Transmission Service Agreement dated 22.9.2015.
- Date of Hearing : 12.7.2022
- Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : Alipurduar Transmission Limited (ATL)
- Respondents : South Bihar Power Distribution Co. Ltd. and 9 Ors.
- Parties Present : Shri Amit Kapur, Advocate, ATL  
Ms. Gayatri Aryan, Advocate, ATL  
Ms. Neha Mittal, Advocate, ATL

**Record of Proceedings**

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed seeking relief for additional expenditure incurred by the Petitioner due to (i) Force Majeure and (ii) Change in Law events which led to delay in commissioning of the "Transmission System Strengthening in Indian Transmission System for transfer of Power from new HEPs in Bhutan".
3. After hearing the learned counsel for the Petitioner, the Commission ordered as under:
- (a) Admit. Issue notice to the Respondents.
- (b) The Petitioner to serve copy of the Petition on the Respondents and the Respondents to file their reply within four weeks after serving copy of the same to the Petitioner, who may file its rejoinder within three weeks thereafter.
- (c) Parties to comply with the above directions within the specified timeline and no extension of time shall be granted.

4. 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)**