

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.281/MP/2021

- Subject : Petition under Sections 61 read with 79 of the Electricity Act 2003 and Regulation 6.3.B of Central Electricity Regulatory Commission (Indian Electricity Grid Code) (Fourth Amendment) Regulations, 2016 and this Commission's Order No. L-1/219/2017-CERC dated 05.05.2017 seeking directions to Uttar Pradesh Power Corporation Limited for making payment for Technical Minimum Compensation on account of Part Load Operation of MB Power's 1200 MW (2x600 MW) Anuppur Thermal Power Project.
- Date of Hearing : 12.7.2022
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : MB Power (Madhya Pradesh) Limited (MBPMPL)
- Respondents : PTC India Limited and 5 Ors.
- Parties Present : Shri Amit Kapur, Advocate, MBPMPL
Shri Akshat Jain, Advocate, MBPMPL
Shri Pratyush Singh, Advocate, MBPMPL
Shri Avdesh Mandloi, Advocate, MBPMPL
Shri Abhishek Gupta, MBPMPL
Shri Sitiesh Mukherjee, Advocate, UPPCL
Shri Abhishek Kumar, Advocate, UPPCL
Shri Karan Arora, Advocate, UPPCL
Shri Deeak Raizada, UPPCL
Shri Ayush Singh, UPPCL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner requested to admit the Petition and to issue notice to the Respondents on merits. Learned counsel further submitted that the Respondent No.2, Uttar Pradesh Power Corporation Limited has already filed its reply in the matter and the Petitioner has also filed its rejoinder thereof. Learned counsel further added that any issues on 'maintainability' of the Petition may be taken up together with 'merits' in terms of the order of Hon'ble Supreme Court dated 18.10.2012 in Civil Appeal No. 7254 of 2012 in the case of PTC India Ltd. v. GERC and Ors.
3. Learned counsel for the Respondent, UPPCL submitted that the Petition is not maintainable in its present form and hence, the the Petition should not be admitted before hearing the Respondent thereon.

4. Due to paucity of time, the matter could not be taken up for hearing. Accordingly, the matter was adjourned.

5. The Petition shall be listed for hearing on 'admissibility/maintainability' as well as on merit in due course for which separate notice will be issued.

By order of the Commission

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