

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.76/MP/2019

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 for recovery of dues from the Respondent, Punjab State Power Corporation Limited.

Petitioner : Rajasthan Rajya Vidyut Prasaran Nigam Limited.

Respondent : Punjab State Power Corporation Limited.

Date of Hearing : **26.5.2022**

Coram : Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present : Shri Puneet Jain, Advocate, RRVPNL
Shri Abhinav Gupta, Advocate, RRVPNL
Shri Hari Mohan Gupta, RRVPNL
Ms. Swapna Seshadri, Advocate, PSPCL
Shri Anand K. Ganesan, Advocate, PSPCL
Shri Amal Nair, Advocate, PSPCL
Ms. Sugandh Khanna, Advocate, PSPCL

Record of Proceedings

Case was called out for virtual hearing.

2. During the hearing, the learned counsel for the Petitioner submitted that in compliance of the ROP dated 22.2.2022 it has impleaded Northern Regional Power Committee (NRPC) and accordingly filed amended the memo of parties. He, however, submitted that no reply has been filed by NRPC. He also submitted that since the matter was earlier before the NRPC, which is an adjudicating authority and since the Respondent PSPCL had acknowledged the claim of the Petitioner, the claim is not barred by limitation.

3. The learned counsel for the Respondent, PSPCL submitted that the claim of the Petitioner is barred by limitation, as the same relates to the period from October, 1996 to March, 1999 and the date of invoice is 16.10.2003. The learned counsel, while pointing out that the letters/correspondences sent by the Petitioner do not extend the period of limitation, submitted that the Respondent PSPCL had not acknowledged any claims of the Petitioner. He further submitted that in terms of the directions vide ROP dated 22.2.2022, the letters dated 29.8.2008 and 13.11.2009, could not be filed by the Respondent PSPCL, as these documents are not available in the office of the Respondent. Accordingly, the learned counsel submitted that the petition may be rejected as barred by limitation.



4. The Commission, after hearing the parties, reserved its order in the matter.

By order of the Commission

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

