

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 83/MP/2019 along with IA Nos.59/2019 & 61/2019

Subject : Petition under Section 19 of the Electricity Act, 2003 seeking revocation of trading licence for breach of contractual obligations by allowing the source generator to sell the power in exchanges instead of supply to MSEDCL as per contract/LOI.

Petitioner : Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

Respondents : GMR Energy Trading Limited (GETL) and 4 Ors.

Petition No. 403/MP/2019 along with IA No.10/2020

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 for seeking recovery of amount deducted by Maharashtra State Electricity Distribution Company Limited with respect to a tender being Tender Event No. MSEDCL/Short/18-19/ET/58 dated 5.7.2018.

Petitioner : GMR Energy Trading Limited and Anr.

Respondents : Maharashtra State Electricity Distribution Co. Ltd.

Petition No. 216/MP/2021

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 for seeking recovery of amount deducted by Maharashtra State Electricity Distribution Company Limited with respect to a tender being Tender Event No. MSEDCL/Short/18-19/ET/58 dated 5.7.2018.

Petitioner : D. B Power Limited (DBPL)

Respondents : Maharashtra State Electricity Distribution Co. Ltd. and Anr.

Date of Hearing : 22.3.2022

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

Parties Present : Shri Gopal Jain, Sr. Advocate, MSEDCL
Shri Anup Jain, Advocate, MSEDCL
Shri Hemant Singh, Advocate, GETL, MPL & DBPL
Shri Lakshajit Singh Bagdwal, Advocate, GETL, MPL & DBPL



Shri Apurwa Shah, Advocate, GETL, MPL & DBPL
Shri Deepak Khurana, Advocate, DBPL
Ms. Nishtha Wadhwa, Advocate, DBPL
Shri Anand K Ganesan, Advocate, Sai Wardha
Shri Ashwin Ramanathan, Advocate, Sai Wardha
Shri Hemant Sahai, Advocate, TPTCL
Shri Shrestha Sharma, Advocate, TPTCL
Shri Avdesh Mandloi, Advocate, TPTCL
Shri Dinesh H. Agarwal, MSEDCL

Record of Proceedings

Cases were called out for virtual hearing.

2. At the outset, learned counsel for the Petitioner, DBPL submitted that in terms of Record of Proceedings for the hearing dated 16.11.2021 in Petition Nos. 83/MP/2019 and 403/MP/2019, all these three Petitions are to be listed together as the subject matter involved therein is similar. Learned counsel further submitted that since the Petition No. 216/MP/2021 is yet to be admitted, the Commission may admit the matter, allow the parties to complete the pleadings and may take up these matters for hearing thereafter.
3. Learned senior counsel for MSEDCL submitted that the Commission may take up all three matters together once the pleadings in Petition No. 216/MP/2021 are completed. Learned senior counsel sought liberty to file response to the IA No.10/2020 in Petition No. 403/MP/2019.
4. Learned counsel for the Respondent No.5, Sai Wardha Power Generation Limited in Petition No. 83/MP/2019 sought liberty to place on record certain factual submissions by way of an affidavit in the said matter.
5. Learned counsel for Respondent No.2, Tata Power Trading Company Limited in Petition No. 216/MP/2021 sought liberty to file its reply in the matter.
6. After hearing the learned senior counsel and learned counsel for the parties, the Commission ordered as under:

Petition No. 216/MP/2021

- (a) Admit. Issue notice to the Respondents.
- (b) The Petitioner, DBPL to serve copy of the Petition on the Respondents, immediately, if not already served and the Respondents to file their reply, if any, by 8.4.2022 after serving copy of the same to the Petitioner, who may file its rejoinder, if any, by 27.4.2022

Petition No. 83/MP/2019 and Petition No. 403/MP/2019

- (c) The parties are directed to complete the pleadings, if any, by 27.4.2022.

7. The Petitions 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)**