

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 86/MP/2022

- Subject : Petition under Section 79(1)(c) read with Section 79(1)(f) of the Electricity Act, 2003 for seeking a direction against Respondent No.1 to extend the start date of MTOA, as sought for by the Petitioner No.1 vide its letter dated 10.1.2022 and further restrain Respondent No.1 from taking any coercive and precipitative measures, including but not limited to levying any penalty/ charges etc. for non-operationalisation of 114.25 MW out of the total 240 MW, on the premise of the start date of MTOA being taken as 1.2.2022, till the final disposal of the present proceedings.
- Date of Hearing : 29.7.2022
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioners : Avaada Energy Private Limited (AEPL) and Anr.
- Respondents : Central Transmission Utility of India Limited (CTUIL) and Anr.
- Parties Present : Shri Deepak Khurana, Advocate AEPL
Shri Ashwini Kumar Tak, Advocate, AEPL
Ms. Suparna Srivastava, Advocate, CTUIL
Shri Tushar Mathur, Advocate, CTUIL
Ms. Soumya Singh, Advocate, CTUIL
Shri Yatin Sharma, CTUIL
Shri Swapnil Verma, CTUIL

Record of Proceedings

The order on the maintainability of the present petition was reserved on 5.5.2022. However, the order could not be passed prior to the Chairperson Shri P. K. Pujari demitting the office. Accordingly, the matter is listed for hearing through video conferencing.

2. Learned counsel for the Petitioner sought liberty to file an affidavit to place on record the subsequent developments in the matter.

3. Considering the request of the learned counsel for the Petitioner, the Commission permitted the Petitioner to file its additional affidavit within a week. The Respondent, CTUIL was also allowed to file its response thereof, if any, within a week thereafter.

4. Subject to the above, the Commission reserved the order on 'maintainability' of the Petition.

By order of the Commission

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