

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 154/MP/2022

Coram:

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

Date of order: 9th August, 2022

In the matter of

Petition for approval for creation of security interest under Regulation 79 (1)(c) and (k) of the Electricity Act, 2003 read with Regulation 111 of the Conduct of Business Regulations 2004 and Article 15.2.4 of the Transmission Service Agreement dated 6.07.2021 over Petitioner No. 1's Assets in favour of Petitioner No. 2 (including its assignees, transferees, novates) for the purpose of Petitioner No. 1's Transmission Project.

And

In the matter of

Nangalbibra-Bongaigaon Transmission Limited,
F-1, The Mira Corporate Suites, 1 & 2
Ishwar Nagar, Okhla Crossing,
Mathura Road,
New Delhi – 110065

Catalyst Trusteeship Limited,
GDA House, Plot No. 85, Bhusari Colony (Right),
Kothrud, Pune - 411038, Maharashtra, India
and a branch office at 810, 8th Floor, Kailash Building,
26, Kasturba Gandhi Marg,
New Delhi –110001, India

... Petitioners

VERSUS

1. Assam Power Distribution Company Limited,
4th Floor, Bijulee Bhawan,
Paltan Bazar,
Guwahati – 781001, Assam

2. Meghalaya Energy Corporation Limited,
Lumjingshai, Short Round Road,
Shillong – 793001, Meghalaya

3. Tripura State Electricity Corporation Limited,

Bidyut Bhaban, Banamalipur,
Agartala – 799001, Tripura

4. Department of Power, Arunachal Pradesh,
Power Department Office, Kharsang,
Arunachal Pradesh – 792122

5. Manipur State Power Distribution Corporation Limited,
3rd Floor, New Directorate Building,
Near 2nd MR Gate, Imphal-Dimapur Road,
Imphal – 795001, Manipur

6. Department of Power, Nagaland,
Electricity House, A.G Colony,
Kohima – 797001, Nagaland

7. Department of Power & Electricity, Mizoram,
Power & Electricity Department,
Kawlpheta Building,
New Secretariat Complex, Khatla
Aizawl – 796001, Mizoram

8. HVDC BNC Powergrid,
Power Grid Corporation of India Limited,
Biswanath Ghat Road, Biswanath Chariali,
P.O: Burigang,
Sonitpur – 784176, Assam

... Respondents

ORDER

The Petitioners, Nangalbibra - Bongaigaon Transmission Limited and Catalyst Trusteeship Limited have jointly filed the present Petition with the following prayers:

“(a) Approve the creation of Security Interest, over all assets including the movable and immovable assets, accounts, Project documents etc. of Petitioner No 1 and to the extent as mentioned in paras 6 and 7 above, in favour of Lenders and for their subsequent transferees, assigns, novates and substitutes thereof and any refinancing lenders to the Project, pursuant to deed of hypothecation and power of attorney in relation thereto, mortgage documents and other security creating documents/ Financing Agreements and for future refinancing transactions also, by way of mortgage/hypothecation/assignment of Secured Properties and Project assets and for amendment of the security documents and any other Financing Agreements to include the assigns, transferees and novates of the Lenders.

(b) Pass such other relief as Hon’ble Commission deems fit and appropriate under the circumstances of the case and in the interest of justice.

2. The matter was mentioned by the learned counsel for the Petitioners on 5.8.2022 and sought permission to withdraw the Petition. Learned counsel requested to adjust the filing fees paid in the Petition against the Petition to be filed in future on the subject matter.

3. In view of the submission of the learned counsel for the Petitioner, the Petitioner is permitted to withdraw the present Petition. The filing fees paid in the matter shall be adjusted against the Petition to be filed in future.

4. Accordingly, the Petition No. 154/MP/2022 is disposed of as withdrawn.

Sd/-
(P. K. Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(I.S. Jha)
Member