

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 250/MP/2021

Coram:

Shri P.K. Pujari, Chairperson

Shri I. S. Jha, Member

Shri Arun Goyal, Member

Shri P.K.Singh, Member

Date of Order: 31st March, 2022

In the matter of

Petition under Section 79 of the Electricity Act, 2003 for execution/ implementation of the order dated 22.3.2021 passed in Petition No. 405/MP/2019; and initiation of proceedings under Section 142 of the Electricity Act, 2003 against Dakshin Haryana Bijli Vitran Nigam Limited, Uttar Haryana Bijli Vitran Nigam Limited, Haryana Power Generation Corporation Limited and PTC India Limited in relation thereto.

And

In the matter of

GMR-Kamalanga Energy Limited,

New Shakti Bhawan,

Building No. 302, New Uddan Bhawan,

Opposite Terminal – 3, Indira Gandhi International Airport,

New Delhi – 110 037.

.....Petitioner

Vs.

1. Dakshin Haryana Bijli Vitran Nigam Limited,

Vidyut Nagar,

Hissar-125 005, Haryana.

2. Uttar Haryana Bijli Vitran Nigam Limited,

Vidyut Sadan, Plot No. C-16, Sector 6,

Panchkula, Haryana.

3. Haryana Power Generation Corporation Limited,

Urja Bhawan, C-7, Sector 6,

Panchkula Haryana.

4. PTC India Limited,

2nd Floor, NBCC Tower,

15, Bhikaji Cama Place,

New Delhi.

.....Respondents

ORDER

The Petitioner, GMR Kamalanga Energy Limited, has filed the present Petition No. 250/MP/2021 with the following prayers:

“(a) Execute the order dated 22.03.2021 passed by this Hon’ble Commission in Petition 405/MP/2019 and direct Respondent Haryana Discoms to pay GKEL Rs. 33,01,78,817 for the period of August 2018 till March 2021 in terms of the Supplementary Invoice dated 29.04.2021;

(b) Direct Respondent Haryana Discoms to pay Late Payment Surcharge as per the provisions of the PPA;

(c) Direct Respondent Haryana Discoms to make payment of Rs. 6,87,61,415 for the period of April 2021 till June 2021 by the due date; i.e., 27.11.2021;

(d) Direct Respondent Haryana Discoms to make timely payment of all invoices raised by GKEL in future, as per the mandate of Order dated 22.03.2021 in Petition No. 405/MP/2019;

(e) Pass an order for attachment of bank account of the Respondents herein or any other suitable measure/directions to ensure compliance and implementation of this Hon’ble Commission’s Order;

(f) Initiate proceedings under Section 142 of the Electricity Act against the Respondents for failure to comply with the directions of this Commission; and

(g) Pass any such further order as this Commission may deem necessary in the interest of justice.”

2. The matter was listed for hearing on 21.3.2022 through video conferencing. During the course of hearing, learned counsel for the Respondent No. 1, Dakshin Haryana Bijli Vitran Nigam Limited & Respondent No. 2, Uttar Haryana Bijli Vitran Nigam Limited (in short ‘Haryana Discoms’) had submitted that the Respondent Haryana Discoms are at an advanced stage of releasing the payment and will be making the payment against the outstanding amount the next day, which may be confirmed by the Petitioner thereafter. After hearing the learned counsels for the parties, the Commission directed Haryana Discoms to indicate the payments made to the Petitioner against the invoices raised by the Petitioner in terms of the order

dated 22.3.2021 in Petition No. 405/MP/2019 and the Petitioner was directed to confirm the receipt of such payment.

3. Learned counsel for the Petitioner vide its letter dated 29.3.2022 has submitted that Haryana Discoms have paid Rs.49.27 crore towards supplementary invoices raised by the Petitioner for the period from August, 2018 to September, 2021. Accordingly, learned counsel for the Petitioner has sought permission to withdraw the present Petition with liberty to approach the Commission in future, if required.

4. The Petition is being decided by circulation. In view of the submissions of the learned counsel for the Petitioner vide its letter dated 29.3.2022, the Petitioner is permitted to withdraw the present Petition.

5. Accordingly, the Petition No. 250/MP/2021 is disposed of as withdrawn.

**Sd/-
(P.K.Singh)
Member**

**sd/-
(Arun Goyal)
Member**

**sd/-
(I.S. Jha)
Member**

**sd/-
(P.K. Pujari)
Chairperson**