

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 345/MP/2020

Coram:

Shri P.K. Pujari, Chairperson

Shri I. S. Jha, Member

Shri Arun Goyal, Member

Shri P.K.Singh, Member

Date of Order: 21st January, 2022

In the matter of

Petition under Section 94(1)(f) of the Electricity Act, 2003 read with Regulation 103 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking review of the PoC order dated 6.3.2020 in Petition No. L-1/44/2010-CERC.

And

In the matter of

Torrent Power Limited,

“Samanvay”, 600, Tapovan,

Ambavadi,

Ahmedabad-380015, Gujarat

....**Petitioner**

Vs.

1. National Load Despatch Centre,

B-9 (1st Floor), Qutab Institutional Area,

Katwaria Sarai,

New Delhi – 110016

2. Central Transmission Utility,

1st Floor, A-Wing, Saudamini,

Plot No.2, Sector – 29,

Near IFFCO Chowk Metro Station,

Gurgaon-122 001, Haryana

....**Respondents**

ORDER

The Petitioner, Torrent Power Limited, has filed the present Petition along with the following prayers:

“(a) Review the Impugned Order dated 06.03.2020 and direct that the PoC Rates/

Charges determined in the Impugned Order shall be applicable to bilateral/ collective transactions undertaken with effect from the date of the PoC Order dated 04.02.2020 and not from the date of the Impugned Order; and

(b) Direct Central Transmission Utility to refund the excess PoC/ Transmission Charges paid by the Petitioner during the period 17.02.2020 to 05.03.2020, amounting to Rs.4,00,81,225.98 (Indian Rupees Four Crores Eighty One Thousand Two Hundred and Twenty Five and paise ninety eight only) along with applicable interest at the rate of 1.25% per month, computed till the date of realisation of the amount.”

2. The matter was listed for hearing on 2.9.2021 through video conferencing. During the course of hearing, the Commission observed that the Petitioner has filed the present Petition under the head of Miscellaneous Petition through e-portal of the Commission which was accordingly registered as Miscellaneous Petition. However, the learned counsel for the Petitioner is now praying to convert the present Miscellaneous Petition into a Review Petition. The Commission observed that the Petitioner is at liberty to withdraw the instant Miscellaneous Petition and file a fresh Review Petition and the filing fees would be adjusted accordingly.
3. The learned counsel for the Petitioner vide its letter dated 7.1.2022 has submitted that since the present Petition was filed within prescribed period of limitation, the Commission is requested to hold that limitation shall not come in the way of the Petitioner refiling the same Petition as a fresh Review Petition. The learned counsel for the Petitioner has sought permission to withdraw the present Miscellaneous Petition and has requested to adjust the filing fees paid in the present Petition against the Review Petition to be filed by the Petitioner in near future.
4. The Petition is being decided by circulation. In view of the submissions of the learned counsel for the Petitioner vide its letter dated 7.1.2022, the Petitioner is permitted to withdraw the present Petition. The filing fees deposited by the Petitioner

in respect of its Petition shall be adjusted against the Review Petition to be filed by the Petitioner in future.

5. Accordingly, the Petition No. 345/MP/2020 is disposed of as withdrawn.

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

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

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

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