

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.188/MP/2022

- Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Power Purchase Agreement dated 31.05.2019 between Sembcorp Energy India Ltd. and NTPC Vidyut Vyapar Nigam Ltd. for recovery of pending Energy Compensation Bills for the months of April – June 2020 along with Late Payment Surcharge on the pending amounts.
- Date of Hearing : 10.1.2023
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Sembcorp Energy India Limited (SEIL)
- Respondents : NTPC Vidyut Vyapar Nigam Ltd. (NVVNL)
- Parties Present : Shri Vishrov Mukherjee, Advocate, SEIL
Shri Yashaswi Kant, Advocate, SEIL
Shri Girik Bhalla, Advocate, SEIL
Shri Damodar Solanki, Advocate, SEIL
Ms. Juhi Senguttuvan, Advocate, SEIL
Ms. Swapna Seshadri, Advocate, NVVN L
Ms. Ritu Apurva, Advocate, NVVNL

Record of Proceedings

At the outset, learned counsel for the Respondent, NVVNL submitted that due to the change in Board of Directors of the Respondent Company, the Respondent could not file the reply in the given timeframe and a week's time may be permitted to the Respondent to file its reply. Learned counsel also added that the Commission's order dated 20.1.2022 in Petition No. 594/MP/2020 (GMR Warora Energy Ltd. v. DNH Power Distribution Co. Ltd.) wherein the outbreak of Covid-19 and resultant lockdown have not been held as force majeure event is distinguishable in the present case.

2. Considering the request of the learned counsel for the Respondent NVVNL, the Commission permitted the Respondent to file its reply as last opportunity within two weeks. The Petitioner was also permitted to file its rejoinder thereon, if any, within two weeks thereafter.

3. The Petition shall be listed for hearing on 7.3.2023

By order of the Commission

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

