

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 432/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Power Purchase Agreement dated 7.8.2007 seeking compensation on account of increased cost incurred by Sasan Power Limited consequent to default of Procurers.

Petitioner : Sasan Power Limited

Respondents : M.P. Power Management Company Limited & 13 others

Date of Hearing : **10.10.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present : Shri Buddy Ranganathan, Advocate, SPL
Shri Venkatesh, Advocate, SPL
Shri Ashutosh K. Srivastava, Advocate, SPL
Shri Siddharth Nigotia, Advocate, SPL
Shri Abhimanyu Das, SPL
Shri G. Umaphy, Senior Advocate, MPPMCL
Shri Aditya Singh, Advocate, MPPMCL
Shri M.G. Ramachandran, Senior Advocate, HPPC & Rajasthan Discoms
Ms. Poorva Saigal, Advocate, HPPC & Rajasthan Discoms
Shri Shubham Arya, Advocate, HPPC & Rajasthan Discoms
Ms. Reeha Singh, Advocate, HPPC & Rajasthan Discoms
Shri Sakya Singh Choudhary, Advocate, PSPCL
Shri Shubham Hasija, Advocate, PSPCL
Shri Ravish Kumar, Advocate, PSPCL
Shri Nitin Kala, Advocate, TPDDL
Shri Kunal Singh, Advocate, TPDDL
Shri Tanmay Jain, Advocate, TPDDL

Record of Proceedings

At the outset, the learned counsel for the Petitioner prayed that it may be granted time to file its rejoinder to the replies filed recently by the Respondents-MPPMCL, Rajasthan discoms, PSPCL and HPPC. He also submitted that in response to the objections raised by the Respondent PSPCL that no supporting documents have been filed by the Petitioner in support of its claim for damages, the Petitioner has filed the same through an IA, after serving a copy of the same on the Respondents.



2. The learned counsel for the Respondent PSPCL, however, submitted that since voluminous documents have been filed by the Petitioner, the Commission may examine the question of 'admissibility' of the claims of the Petitioner, in the petition, before examining the same on merits. On being pointed out by the Commission, that the IA does not form part of the record of the Commission, in the present proceedings, the learned counsel prayed that it may be permitted to file its reply on the 'maintainability' of the same. In response, the learned counsel for the Petitioner, while pointing out that the documents have been filed to substantiate/support the claims, submitted that the Commission, if considered necessary, may examine the issues on 'maintainability as well as on merits.

3. The learned counsel for Respondent TPDDL prayed that it may be granted time to file its reply to the additional affidavit dated 14.8.2023, filed by the Petitioner.

4. The Commission, after hearing the parties, adjourned the hearing of the petition. The Commission permitted the Respondents to file their replies, on the additional affidavit including the IA filed by the Petitioner, on or before **13.11.2023**, after serving a copy to the Petitioner, who may file its rejoinder, if any, by **4.12.2023**. The Petitioner is directed to submit a brief note regarding the relevancy of the subsequently submitted documents in a tabular form. Pleadings in the matter shall be completed by the parties within the due dates mentioned, and no extension of time shall be granted.

5. The Petition along with IA will be listed for hearing on 'maintainability as well as on merits' on **20.12.2023**.

By order of the Commission

Sd/-
(B. Sreekumar)
Joint Chief (Law)

