

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 47/MP/2023

Subject : Petition under Sections 79, 142, 146 and 149 of the Electricity Act, 2003 read with Regulation 111 of the CERC (Conduction of Business) Regulations, 1999 against the Respondent No. 1/ Bihar State Power Holding Company Limited and the Respondent No. 2/ PTC India Limited for wilful disobedience and the execution of Order dated 16.12.2022 in Petition No.94/MP/2022.

Date of hearing : **28.03.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri P.K. Singh, Member

Petitioner : SKS Power Generation (Chhattisgarh) Limited.
(SKS PG(S)L)

Respondents : Bihar State Power (Holding) Company Limited
(BSPHCL) & Anr.

Parties present : Shri Hemant Singh, Advocate, SKS PG(S)L
Shri Harshit Singh, Advocate, SKS PG(S)L
Shri Lakshyajit Singh Bagdwal, Advocate, SKS PG(S)L

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter alia*, seeking execution of the order dated 16.12.2022 passed by the Commission in Petition No. 94/MP/2022. Learned counsel submitted that in pursuance of the order dated 16.12.2022, the Petitioner vide its letters dated 22.12.2022 and 5.1.2023 requested the Respondents to release of Rs. 89.44 crore (including interest of Rs 14.84 crore) for the period commencing from April 2021 to February 2022. However, the Respondents paid no heed to the request made by the Petitioner. The Respondents, till date have not made any payments to Petitioner qua the aforesaid amount, and hence, the Respondents are in complete violation and wilful disobedience of the Commission`s explicit directions rendered in the said order dated 16.12.2022.

2. After hearing the submissions of the learned counsel for the Petitioner, the Commission ordered the following:

(a) Admit. Issue notice to the Respondents.



(b) The Respondents to file reply within three weeks, after serving copy of the same to the Petitioner, who may file its rejoinder, if any, within three weeks thereafter.

(c) The parties shall ensure the completion of pleadings within the due dates mentioned and no extension of time shall be granted.

3. Petition shall be listed for hearing on 8.6.2023.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)

