

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 75/MP/2022**

- Subject : Petition under Sections 79(1)(b) and 79(1)(f) of the Electricity Act, 2003, read with the Letter of Intent dated 13.02.2021, and Bid Document dated 17.12.2020, thereby seeking directions from this Commission for quashing erroneous Compensation Bills/ Tax Invoices raised upon the Petitioners by the Respondent qua levy of alleged liquidated damages, and also to restrain the said Respondent from levying IGST on such liquidated damages, payment of illegally withheld amongst with applicable Delay Payment surcharge and amongst other consequential reliefs.
- Date of Hearing : 16.3.2023
- Coram : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioners : Jindal India Thermal Power Limited (JITPL) and Anr,
- Respondent : BSES Rajdhani Power Limited (BRPL)
- Parties Present : Shri Sajan Poovayya, Sr. Advocate, JITPL  
Shri Hemant Singh, Advocate, JITPL  
Ms. Ankita Bafna, Advocate, JITPL  
Shri Biju Mattam, Advocate, JITPL  
Ms. Lavanya Panwar, Advocate, JITPL  
Shri Buddy Ranganadhan, Advocate, BRPL  
Shri Hasan Murtaza, Advocate, BRPL  
Shri Sameer Sharma, Advocate, BRPL  
Shri Vivek Singh, BRPL

**Record of Proceedings**

During the course of hearing, learned senior counsel for the Petitioners made detailed submissions in the matter and concluded his arguments.

2. Learned counsel for the Respondent, BRPL sought liberty to file reply and prayed for short adjournment.

3. Considering the submissions made by the learned senior counsel and learned counsel for the parties, the Commission permitted the Respondent to file its reply within a week with copy to the Petitioner, who may file its rejoinder, if any, within two weeks thereafter. As requested, the Commission also permitted the Petitioner No.2, Tata Power Trading Co. Ltd. to file its affidavit supporting the present petition within a week.

4. The matter remains part-heard and shall be listed for hearing on 13.4.2023. Parties shall ensure that the submissions shall be filed within the due dates mentioned.

**By order of the Commission**

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