

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 94/MP/2023**

Subject : Petition under Section 79(1)(f) read with Section 19 of the Electricity Act, 2003 read with Regulation 9, 19 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading license and other related matters) Regulations, 2020 seeking recovery of penalty for less return of power by the Respondents as per Banking Agreements executed between the Petitioner and the Respondents and seeking revocation of the inter-State trading license granted to respondent No.1.

Petitioner : Kreate Energy (I) Private Limited (KEIPL)

Respondents : Saranyu Power Trading Pvt. Ltd. (SPTPL) & Anr.

**Petition No. 277/MP/2022**

Subject : Petition under Section 79(1)(f) read with Section 19 of the Electricity Act, 2003 read with Regulations 9, 19 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Trading Licence and other related matters) Regulations, 2020 seeking recovery of penalty for less return of power by the Respondent as per the Banking Agreement dated 29.3.2022 and seeking revocation of the interstate trading licence granted to Svaryu Energy Limited (formerly Refex Energy Limited).

Petitioner : Haryana Power Purchase Centre (HPPC)

Respondent : Svaryu Energy Limited (SEL)

**Petition No. 278/MP/2022**

Subject : Petition under Section 79(1)(f) read with Section 19 of the Electricity Act, 2003 read with Regulations 9, 19 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Trading Licence and other related matters) Regulations, 2020 seeking recovery of penalty for less return of power by the Respondent as per the Banking Agreement dated 17.3.2022 and seeking revocation of the interstate trading licence granted to Arunachal Pradesh Power Corporation Private Limited.

Petitioner : Haryana Power Purchase Centre

Respondent : Arunachal Pradesh Power Corporation Private Limited



**Petition No. 282/MP/2022**

Subject : Petition under Section 79(1)(f) read with Section 19 of the Electricity Act, 2003 read with Regulations 9, 19 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Trading Licence and other related matters) Regulations, 2020 seeking recovery of penalty for less return of power by the Respondent as per the Banking Agreement dated 29.3.2022 and seeking revocation of the interstate trading licence granted to Kreate Energy (I) Private Limited (formerly Mittal Processors Private Limited).

Petitioner : Haryana Power Purchase Centre

Respondents : Kreate Energy (I) Private Limited (formerly MPPL)

**Petition No. 265/MP/2022 Along With I.A. No. 462/2022**

Subject : Petition under Section 79(1)(c) and (f) of the Electricity Act, 2003 for adjudication of disputes.

Petitioner : Arunachal Pradesh Power Corporation Private Limited (APPCPL)

Respondents : Saranyu Power Trading Private Limited & Ors.

Date of Hearing : **20.10.2023**

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

Parties Present : Mr. Adarsh Tripathi, Advocate, KEIPL  
Mr. Ajitesh Garg, Advocate, KEIPL  
Ms. Sonia Madan, Advocate, HPPC  
Ms. Prerna Priyadarshini, Advocate, SEL  
Shri Atharva Gaur, Advocate, SEL  
Shri Ayushman Aggarwal, Advocate, SEL  
Ms. Swapna Seshadri, Advocate, APPCPL  
Ms. Ritu Apurva, Advocate, APPCPL  
Shri M. Karthikeyan, Advocate, APPCPL  
Mr. Arijit Maitra, Advocate, IPCL  
Shri Aditya Dubey, Advocate, SPTPL

**Record of Proceedings**

At the outset, learned counsel for Respondent, SPTPL submitted that certain settlement discussions are underway between the Respondent and HPPC and Respondent, on 4.10.2023, has submitted its revised proposal to HPPC, who is yet to respond thereon. In response, learned counsel for HPPC submitted there is no

concrete proposal from the Respondent which is acceptable to HPPC and by not filing the reply in these matters, the Respondent is merely delaying the proceedings.

2. Learned counsel for the Petitioner, APPCPL in Petition No. 265/MP/2022 submitted that as per the order of the APTEL dated 20.7.2023 in Appeal (DFR) No. 453 of 2023 as well as the Commission's Record of Proceedings for the hearing dated 21.7.2023, the Respondents, SPTPL and IPCL were required to file their comprehensive replies on the jurisdiction as well as on merits. However, these Respondents have failed to file their comprehensive replies in the specified timeline and upon the Commission having further extended the timeline, only IPCL has filed its reply on 17.10.2023 and that too only on the jurisdiction/maintainability and not the merits. Learned counsel accordingly urged that the Respondents having failed to abide by the directions of the APTEL as well as this Commission, their right to file replies on the merits of the case may be closed.

3. Learned counsel for the Petitioner, MPPL in Petition No. 94/MP/2023 submitted that the Respondents, SPTPL and IPCL have also not filed any reply in the said case.

4. In response, learned counsel for the Respondent, SPTPL submitted that it appears that since the Respondent was attempting to mutually resolve the issue, it did not file any reply in the matter and it may be permitted additional time to complete the pleadings. Learned counsel for the Respondent, IPCL submitted that the Respondent by its reply in Petition No.265/MP/2022 has raised a preliminary issue of the jurisdiction, Since the trading licensee, SPTPL was already in the process of mutually resolving the issues with the Petitioner, it did not file any reply on merits.

5. After hearing the submissions of the learned counsel for the parties, the Commission expressed strong displeasure at the failure of Respondents, SPTPL and IPCL to abide by the directions issued by the Commission vide Record of Proceedings for the hearing dated 21.7.2023. The Commission, however, deemed it appropriate to afford one last opportunity to all the parties to complete the pleadings in these matters and directed Respondents therein to file their comprehensive replies, if any, by 31.10.2023 with a copy to the other side, who may file their rejoinder, if any, by 7.11.2023.

6. The Petitions will be listed for the hearing on **9.11.2023**.

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