

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.106/MP/2024**

Subject : Petition under Section 79(1)(b) and (f) and Section 63 of the Electricity Act, 2003 for adjudication and recovery of the amount payable by Tata Power Company Limited on account of the Sellers Event of Default in terms of Article 14.1(iv) as read with 14.3.4 of the Power Purchase Agreement dated 22.04.2007

Petitioner : Haryana Power Purchase Centre

Respondent : TPCL & 6 Ors.

Date of Hearing : **19.9.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member

Parties Present : Ms. Poorva Saigal, Advocate, HPPC  
Ms. Pallavi Saigal, Advocate, HPPC  
Shri Devyanshu Sharma, Advocate, HPPC

**Record of Proceedings**

The case was heard through a virtual hearing.

2. During the hearing 'on admission,' the learned counsel for the Petitioner submitted that the present petition had been filed seeking recovery of the amount payable by Respondent No. 1, TPCL, due to its failure to achieve an average availability of 65% for the twelve consecutive months from 1.8.2020 to 31.7.2021, on account of Sellers event of default under the PPA dated 22.4.2007.
3. The Commission, after hearing the learned counsel, directed as under:
  - (a) Admit the petition and issue notice to the Respondents.
  - (b) The Respondents are permitted to file their replies on or before **18.10.2024** after serving a copy to the Petitioner, who may file its rejoinder by **14.11.2024**. Pleadings shall be completed by the parties by the due date mentioned.
4. Petition shall be listed for hearing on **19.11.2024**.

**By order of the Commission**

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

