

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.107/MP/2023**

Subject : Petition under Sections 79(1)(b) and (f) read with Section 63 of the Electricity Act, 2003 for adjudication of disputes and for directions to supply electricity under the contracted capacity of 1805 MW under the Power Purchase Agreement dated 22.04.2007 between Tata Power and GUVNL; compensation/damages for short-supply/nonsupply; and for consequential reliefs including refund.

Petitioner : Gujarat Urja Vikas Nigam Limited (GUVNL).

Respondent : Tata Power Company Limited and Ors.

**Petition No. 85/MP/2022 along with IA Nos. 24/2022 & 37/2023**

Subject : Petition under Section 79(1)(b) and (f) read with Section 63 of the Electricity Act, 2003 for adjudication and directions in regard to the Power Purchase Agreement dated 22.4.2007 with Coastal Gujarat Power Limited.

Petitioner : Punjab State Power Corporation Limited (PSPCL).

Respondent : Coastal Gujarat Power Limited (CGPL) and Ors.

**Petition No. 123/MP/2022 along with IA No. 38/2023**

Subject : Petition under Section 79(1)(b) and (f) read with Section 63 of the Electricity Act, 2003 for adjudication and directions in regard to the Power Purchase Agreement dated 22.4.2007 with Coastal Gujarat Power Limited.

Petitioner : Uttar Haryana Bijli Vitran Nigam Limited and Anr.

Respondent : Coastal Gujarat Power Limited (CGPL) and Ors.

**Petition No. 246/MP/2022 along with IA No. 8/2023**

Subject : Petition under Section 79(1)(b) and (f) read with Section 63 of the Electricity Act, 2003 for adjudication and directions in regard to the Power Purchase Agreement dated 22.4.2007 with Coastal Gujarat Power Limited.

Petitioner : Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL).

Respondent : Coastal Gujarat Power Limited (CGPL) and Ors.

**Petition No. 56/MP/2023**

Subject : Petition under Section 79(1)(b) and (f) read with Section 63 of the Electricity Act, 2003 seeking specific performance of the Power



Purchase Agreement dated 22.4.2007 with Coastal Gujarat Power Limited.

Petitioner : Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL).

Respondent : Coastal Gujarat Power Limited (CGPL) and Ors.

**Petition No. 185/MP/2023**

Subject : Petition under Section 79(1)(b) and (f) read with Section 63 of the Electricity Act, 2003 for adjudication and directions in regard to the Power Purchase Agreement dated 22.04.2007 with Tata Power Company Limited.

Petitioner : Jaipur Vidyut Vitran Nigam Limited and Ors.

Respondent : Tata Power Company Limited and Ors.

**Petition No. 205/MP/2023**

Subject : Petition under Section 79 the Electricity Act, 2003, along with Regulations 111-113 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 inter-alia seeking appropriate directions against GUVNL and Rajasthan Discom/RRUVNL towards the wrongful and unsustainable demand towards contract year penalty for availability below 75% (DC penalty) for the contract year 2022-2023 for adjudication and directions in regard to the Power Purchase Agreement dated 22.04.2007 with Tata Power Company Limited.

Petitioner : Tata Power Company Limited.

Respondent : Gujarat Urja Vikas Nigam Limited and Ors.

Date of Hearing : **8.11.2024**

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

Parties Present : Shri M. G. Ramachandran, Sr. Advocate, HPPC, GUVNL, PSPCL  
Ms. Poorva Saigal, Advocate, HPPC & PSPCL  
Ms. Pallavi Saigal, Advocate, HPPC & PSPCL  
Ms. Tanya Singh, Advocate, HPPC & PSPCL  
Ms. Reeha Singh, Advocate, HPPC & PSPCL  
Shri Rishabh Saxena, Advocate, HPPC & PSPCL  
Ms. Shivani Gupta, Advocate, HPPC & PSPCL  
Shri Harshvardhan Singh, Advocate, HPPC & PSPCL  
Ms. Srishti Khindaria, Advocate, GUVNL  
Ms. Ranjitha Ramachandran, Advocate, GUVNL  
Shri Anand Ganesan, Advocate, GUVNL  
Ms. Swapna Seshadri, Advocate, RUVNL & GUVNL

Shri Parth Bhalla, Advocate, RUVNL & GUVNL  
Shri Amal Nair, Advocate, RUVNL & GUVNL  
Ms. Shivani Verma, Advocate, RUVNL & GUVNL  
Shri Sanjay Sen, Sr. Advocate, TPCL  
Shri Dhruv Mehta, Sr. Advocate, TPCL  
Ms. Shubhi Sharma, Advocate, TPCL  
Shri Tushar Srivastava, Advocate, TPCL  
Shri Divyansh, Advocate, TPCL  
Shri Samprati Singh, Advocate, TPCL  
Shri Venkatesh, Advocate, MSEDCL  
Shri Shryeshth R. Sharma, Advocate, MSEDCL  
Shri Tushar Mathur, Advocate, MSEDCL  
Shri Gajendra Singh, WRLDC

### **Record of Proceedings**

During the course of the hearing, learned senior counsel for the Petitioners, HPPC, GUVNL & PSPCL made detailed submissions on the preliminary issue as to how these cases are not required to be referred to the arbitration and placed the reliance on (i) judgement of the APTEL's dated 28.8.2024 in Appeal No. 309/2019, (ii) Section 8 of the A&C Act, 1996, (iii) Section 79 of the EA, 2003, (iv) prayer(s) made *qua* WRLDC in these cases, etc. However, due to a paucity of time, the submissions of learned senior counsel could not be concluded.

2. Matters remain part-heard and will be listed for the hearing on **13.12.2024 at 2.30 P.M.**

**By order of the Commission**

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