

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 125/MP/2024 along with IA No. 21/2024

Subject : Petition under Sections 79(1)(f) of the Electricity Act, 2003 read with Regulation 17 of the CERC (Terms and Conditions of Tariff), Regulations, 2019--Interlocutory Application seeking interim order staying the demand raised by the Respondent NTPC vide invoice dated 22.12.2023 and restrain the Respondent from raising invoices on the Petitioner/ Applicant in rests of Dadri-I Plant for the period from 1.12.2020 onwards (*ON REMAND*)

Petitioner : NDMC

Respondents : NTPC

Date of Hearing : **27.9.2024**

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

Parties Present : Shri Anil K. Airi, Senior Advocate, NDMC
Shri Mudit Ruhella, Advocate, NDMC
Ms. Alisha Sharma, Advocate, NDMC
Ms. Swapna Seshadri, Advocate, NTPC
Ms. Ritu Apurva, Advocate, NTPC
Shri Kartikeyan Murugan, Advocate, NTPC
Ms. Sanjeevani Mishra, Advocate, NTPC

Record of Proceedings

In terms of the remand order passed by APTEL vide order dated 9.7.2024 in Appeal No.234/2024, this petition was listed for hearing.

2. After hearing the detailed oral submissions of the learned Senior counsel for the Petitioner and the learned counsel for the Respondent for some time, the Commission enquired if the issue involved in the present case related to a non-tariff dispute to be referred to arbitration in terms of the judgment dated 28.8.2024 in Appeal No.309/2019, the learned counsels for both the parties sought time to seek instructions.

3. Accordingly, the Commission adjourned the hearing of the petition. The Commission, at the request of the parties, directed them to file their written submissions on the issue as to whether the dispute in the present case relates to a 'tariff' or a non-tariff' dispute, on or before **25.10.2024**, after serving a copy to the other.

4. The Petition will be listed for hearing on **7.11.2024**.

By order of the Commission

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

