

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 236/MP/2017

Subject : Petition against the decision of MPPMCL for unilateral surrender of 100 MW from DSTPS in violation of provision of PPA between DVC & MPPMCL.

Petition No. 78/MP/2018

Subject : Petition for unilateral Surrender of 400 MW Power by MPPMCL from MTPS & CTPS of DVC in violation of provision of PPA.

Petitioner : DVC

Respondent : MPPMCL

Date of Hearing : **19.9.2024**

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

Parties Present : Shri Venkatesh, Advocate, DVC
Shri Rajiv Shankar Dvivedi, Advocate, MPPMCL
Shri Ashish Bernard, Advocate, MPPMCL
Shri Sushant Sarkar, Advocate, MPPMCL
Shri Rishabh Jain, Advocate, MPPMCL

Record of Proceedings

The case was heard through a virtual hearing.

2. The matter has been listed for hearing 'on remand' in terms of the judgment dated 28.8.2024 of APTEL in Appeal No. 309/2019.

3. At the outset, the learned counsel for the Petitioner submitted that against the judgment of the APTEL dated 28.8.2024 in Appeal No. 309 of 2019, the Petitioner DVC has filed a Civil Appeal before the Hon'ble Supreme Court, and the same is to be listed for hearing soon. Accordingly, the learned counsel submitted that the hearing of the present petition may be deferred for a week.

4. On a suggestion made by the Commission to the parties to suggest the name of an arbitrator, the learned counsel for the Respondent MPPMCL submitted that the parties may be permitted to submit the name of an arbitrator after mutual consent prior to the next date of hearing. This was not objected to by the learned counsel for the Petitioner.



5. The Commission, after permitting to parties to suggest the name of an arbitrator after mutual consent, as above, adjourned the hearing of the petition.
6. These Petitions will be listed for hearing on **27.9.2024**.

By order of the Commission

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

