

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Diary No. 538 of 2023
in Petition No. 237/MP/2021**

- Subject** : Petition under Sections 63 and 79 of the Electricity Act, 2003 read with the statutory framework governing Inter-state Transmission Systems, and Articles 11 and 12 of the Transmission Service Agreement dated 14.3.2016 executed between Khargone Transmission Limited and its Long-Term Transmission Customers for inter alia claiming compensation due to Change in Law and seeking extension in the scheduled commercial operation date of the relevant elements of the Project on account of force majeure.
- Date of Hearing** : 18.12.2023
- Coram** : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner** : Khargone Transmission Limited (KTL)
- Respondent** : Madhya Pradesh Power Management Company Ltd. & Ors.
- Parties present** : Shri Sanjay Sen, Senior Advocate, KTL

Record of Proceedings

Shri Sanjay Sen, learned Senior Advocate, mentioned Petition No. 237/MP/2021 on behalf of the Petitioner and urged to re-hear the same as the Commission vide RoP dated 24.11.2022 reserved order in the matter. He further submitted that Khargone Transmission Limited has moved an Interlocutory Application under Diary No. 538 of 2023 for re-hearing of the matter as well as to place on record certain additional public documents and public records in support of its claim for *Force Majeure* and *Change in Law*. Referring to the judgment of the Hon'ble Supreme Court in the matter of *Anil Rai v. State of Bihar [(2001) 7 SCC 318]*, he submitted that if the pronouncement of judgment is delayed beyond 6 months, either party has the right to file an application seeking a fresh hearing.



2. The Commission apprised the learned senior counsel for the applicant that the order in the matter has already been finalized, and re-hearing of the matter at this juncture would not be prudent as it would only prolong the disposal of the matter. Accordingly, the Commission disposed of the said IA (Diary No. 538 of 2023) at the diary stage.

By order of the Commission

sd/-
(V. Sreenivas)
Joint Chief (Law)

