

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 309/MP/2024**

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 seeking quashing of the invoice dated 12.3.2024 raised by the Respondents on the Petitioner towards relinquishment charges pursuant to the order dated 8.3.2019 passed by this Commission in Petition No. 92/MP/12015.

Petitioner : MEIL Anpara Energy Limited (MAEL)

Respondents : Powergrid Corporation of India Limited and Anr.

Date of Hearing : **26.9.2024**

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

Parties Present : Shri Sanjay Sen, Sr. Advocate, MAEL  
Ms. Ritika Singhal, Advocate, MAEL  
Ms. Mandakini Ghosh, Advocate, MAEL  
Ms. Neha Dabral, Advocate, MAEL  
Shri Chandan Kumar, Advocate, MAEL  
Ms. Suparna Srivastava, Advocate, CTUIL  
Ms. Divya Sharma, Advocate, CTUIL  
Ms. Arshiya, Advocate, CTUIL  
Shri Ranjeet Rajput, CTUIL  
Ms. Priyansi Jadia, CTUIL

**Record of Proceedings**

Learned senior counsel for the Petitioner submitted that the instant Petition has been filed seeking quashing of the invoice dated 12.3.2024 ('Impugned Bill'), raised by the Respondent, CTUIL, on the Petitioner, pursuant to the order dated 8.3.2019 passed by the Commission in Petition No. 92/MP/2015. Learned senior counsel submitted that keeping in view the imminent risk of regulation of power in connection with the Impugned Bill, the Petitioner was constrained to file a Writ Petition (c) No. 12858/2024 before the Hon'ble High Court of Delhi seeking appropriate directions, which was disposed of by the Hon'ble High Court vide order dated 12.9.2024 directing the Petitioner to deposit 25% of the amount mentioned in the Impugned Bill within two weeks from 12.9.2024 with the direction that e-mail dated 28.8.2024 issued by CTUIL, indicating 12.9.2024 as trigger date, would be stayed till this Commission hearing the matter on the question of interim relief. Learned senior counsel further submitted that in compliance with the aforesaid order of the Hon'ble High Court, the Petitioner has already paid 25% of the amount mentioned in the Impugned Bill, subject to the outcome of the present Petition. Learned senior counsel pointed out that in similar cases also, the Commission has passed a similar direction of payment of 25% of the amount mentioned in the invoice during the pendency of the matters.

2. Learned counsel for the Respondent, CTUIL, accepted the notice and sought time to file a reply to the matter. Learned counsel submitted that in the writ proceedings before the Hon'ble High Court of Delhi, the Petitioner had itself indicated its willingness to the similar arrangement as had been directed by the Commission in its Record of Proceedings for the hearing dated 5.9.2024 in Petition No.372/MP/2022 (Srijan Energy Systems Private Limited v. CTUIL & Anr.) ('Srijan Case') and accordingly, the Hon'ble High Court directed the Petitioner to pay 25% of the amount as mentioned in the Impugned Bill and stayed the CTUIL's communication dated 28.8.2024 till this Commission hears the matter on question of interim relief. Learned counsel further submitted that the direction to deposit 25% of the amount mentioned in the invoice in the Srijan Case was in light of the peculiar facts and circumstances involved in that case, whereas the present case is of simpliciter relinquishment of the LTA granted on the existing transmission system. In the above circumstances, the Petitioner ought to be directed to make payment of at least 50% of the amount mentioned in the invoice.

3. In response, learned senior counsel for the Petitioner submitted that the direction to make payment of 25% of the amount mentioned in the invoice raised towards relinquishment charges during the pendency of the case is not limited to only Srijan Case and similar direction has been issued in other cases too. In this regard, learned senior counsel placed the reliance on the Record of Proceedings for the hearing dated 17.9.2024 in Petition No.243/MP/2024 (Adani Wind Energy Kutch One Ltd. v. CTUIL). Learned senior counsel further submitted that in the event CTUIL is insisting on payment of any additional amount beyond 25%, the Petitioner's interim prayers may be taken up for the hearing.

4. Considering the submissions made by the learned senior counsel for the Petitioner and learned counsel for the Respondent, CTUIL, the Commission ordered as under:

- (a) Admit and issue notice to the Respondent(s), subject to just exceptions;
- (b) The Respondents to file their reply, if any, within three weeks with a copy to the Petitioner, who may file its rejoinder, if any, within three weeks thereafter.
- (c) Keeping in view that the Petitioner has already deposited 25% of the amount mentioned in the Invoice dated 12.3.2024 in compliance with the direction of the Hon'ble High Court of Delhi dated 12.9.2024, no coercive/precipitative action(s) will be taken by CTUIL against the Petitioner in connection to the invoice dated 12.3.2024 till the next date of hearing.

5. The Petition will be listed for the hearing on **12.11.2024**.

**By order of the Commission**  
**Sd/-**  
**(T.D. Pant)**  
**Joint Chief (Law)**

