

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 369/MP/2022

Subject : Petition for refund of incentive amount paid to NHDC on account of capacity index for the period 1.4.2009 to 31.3.2021.

Petitioner : MPPMCL

Respondents : NHDC Limited

Date of Hearing : **18.3.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present : Shri Aditya Singh, Advocate, MPPMCL
Shri Ravindra Khare, MPPMCL
Ms. Suparna Srivastava, Advocate, NHDCL
Shri Tushar Mathur, Advocate, NHDCL
Shri N. K. Chellani, NHDCL
Shri Y. N. Rao, NHDCL

Record of Proceedings

Since the order in the Petition (which was reserved on 16.5.2023) could not be issued prior to one Member, who formed part of the Coram, demitting office, the matter has been re-listed for hearing.

2. At the outset, the learned counsels for the Petitioner and the Respondent submitted that since arguments have been completed, the Commission may reserve its order in the matter. However, the learned counsel for the Respondent circulated a copy of the Commission's order dated 20.1.2024 passed in Petition No.144/MP/2021, in support of her contention that the present petition is not maintainable, and prayed that the same may be taken on record. This was accepted by the Commission.
3. The learned counsel for the Petitioner sought a weeks' time to file its response on the said order dated 20.1.2024 relied upon by the Respondent.
4. The Commission, after hearing the parties, permitted the Petitioner to file its response, as stated in para 3 above, on or before **29.3.2024**, after serving a copy to the Respondent, who may, if need be, file its response by **2.4.2024**. Subject to this, order was reserved on the 'maintainability' of the Petition.

By order of the Commission

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

