

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.87/MP/2024**

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) and Section 19 of Electricity Act, 2003 read with Regulation 9, 19 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Trading License and other related matters) Regulations, 2020, *inter alia*, seeking a direction seeking a direction to the Respondent to pay the outstanding amount of Rs. 11,22,05,158 to the Petitioner against the power supplied by the Petitioner to the Respondent.

Petitioner : DB Power Limited (DBPL)

Respondent : Kreate Energy (I) Private Limited (KEIPL)

Date of Hearing : **9.12.2024**

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

Parties Present : Shri Deepak Khurana, Advocate, DBPL  
Ms. Monalika, Advocate, DBPL  
Shri Gopal Jain, Sr. Advocate, KEIPL  
Shri Adarsh Tripathi, Advocate, KEIPL  
Shri R. Uppal, Advocate, KEIPL  
Shri Ajitesh Garg, Advocate, KEIPL

**Record of Proceedings**

At the outset, learned counsel for the Petitioner submitted that vide Record of Proceedings for the hearing dated 1.5.2024, the Commission had directed the Respondent, KEIPL, to make the payment of the entire principal outstanding in two equated monthly instalments, with the first instalment becoming due on 1.6.2024 and the second instalment becoming due on 1.7.2024 and thereafter, to file a compliance affidavit within a week thereafter. The Commission had also clarified that failure on the part of the Respondent, KEIPL, to abide by the aforesaid direction would lead to the initiation of appropriate proceedings against it under the provisions of the Electricity Act, 2003, and the Trading Licence Regulations. Learned counsel submitted that in utter disregard to the Commission's above direction, no payment had been made by the Respondent, KEIPL, towards the principal amount. Learned counsel added that the total outstanding principal is Rs.7.08 crores, and the late payment surcharge, as on 30.11.2023, is Rs. 4.13 crores.

2. Learned senior counsel for the Respondent, KEIPL, admitted that the Respondent is yet to comply with the direction issued under the Record of Proceedings for the hearing dated 1.5.2024 and prayed that the additional 30 days may be allowed to comply with the above directions.

3. After hearing the learned counsel and learned senior counsel for the parties, the Commission directed to list the matter for further hearing/compliance on 26.12.2024 and in the meantime, the Respondent to comply with the direction dated 1.5.2024. The Commission, however, amply clarified that such compliance by the Respondent, if any, will be without prejudice to its liability arising out of the non-compliance of the direction dated 1.5.2024 in the stipulated timeframe.

4. The Petition will be listed for hearing on **26.12.2024**.

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