

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 303/MP/2025 with IA No. 53/2025

Subject : Petition under Section 79 of the Electricity Act, 2003, seeking quashing of the illegal claim of Rs. 129.60 crores raised by the Respondent TNPDCCL vide demand notices dated 21.11.2024 towards Liquidated Damages in terms of Article 4.8 of the PPA dated 12.12.2013, being barred by limitation.

Petitioner : IL&FS Tamil Nadu Power Company Limited

Respondent : TANGEDCO and anr.

Date of Hearing : **19.8.2025**

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

Parties Present : Shri Hemant Singh, Advocate, ILFSTNPCL
Shri Biju Mattam, Advocate, ILFSTNPCL
Ms. Supriya Rastogi, Advocate, ILFSTNPCL
Ms. Lavanya Panwar, Advocate, ILFSTNPCL
Ms. Anusha Nagrajan, Advocate, TANGEDCO
Ms. Akanksha Bhola, Advocate, TANGEDCO

Record of Proceedings

At the outset, the learned counsel for the Petitioner submitted that the present petition also involves the question of 'arbitrability' of the matter, which is similar to the issue raised in Petition No. 496/MP/2024 (BALCO V TANGEDCO & ors), which has been reserved for orders. He accordingly submitted that the present Petition may be listed for hearing after a final decision in the said petition. The learned counsel also requested that the Respondent be directed not to take any coercive action in the present case, till such time as directed by the Commission in the said petition.

2. The learned counsel for the Respondent, TANGEDCO, sought some time to file its submissions on the issue of 'arbitrability' of the matter.
3. The Commission directed the Respondent, TANGEDCO, to file its detailed written submissions on the issue of 'arbitrability' by **8.9.2025**, if not done earlier, after serving a copy to the Petitioner.
4. The Petition, along with IA, will be listed for hearing on **7.10.2025**.

By order of the Commission

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

