

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 687/MP/2025 along with I.A. No. 65/2025

Coram:

Shri Jishnu Barua, Chairperson

Shri Ramesh Babu V., Member

Shri Harish Dudani, Member

Shri Ravinder Singh Dhillon, Member

Date of Order: 27th September, 2025

In the matter of

Miscellaneous Petition under Section 79(1)(b) and Section 142 of the Electricity Act, 2003 read with Regulation 65(1) and Regulation 70(2) of the CERC (Conduct of Business) Regulations, 2023, for execution/enforcement of the Order dated 22.03.2025 passed in Petition No. 338/MP/2022 and initiation of appropriate action against the Respondent for non-compliance of the directions therein.

And

In the matter of

Dhariwal Infrastructure Limited,

Registered Office: CESC House,

Chowringhee Square,

Kolkata – 700001.

...Petitioner

Versus

Tamil Nadu Power Distribution Corporation Limited,

6th Floor, Eastern Wing,

144, Anna Salai,

Chennai – 600002.

...Respondent

Parties Present

Ms. Divya Chaturvedi, Advocate, DIL

Shri Jai Dhanani, Advocate, DIL

Ms. Anusha Nagarajan, Advocate, TANGEDCO

Shri Rahul Ranjan, Advocate, TANGEDCO

ORDER

The Petitioner, Dhariwal Infrastructure Limited, has filed the present Petition with the following prayers:

“a) Allow the instant Petition;

b) Direct the Respondent to release the payment towards compensation for 'Change in Law' events for the period October 2020 to March 2024 amounting to ₹ 33.53 Crores along with applicable Late Payment Surcharge, up to the date of actual payment, with immediate effect in terms of the Order dated 22.03.2025 passed by this Commission in Petition No. 338/MP/2022;

c) Direct the Respondent to release the payment towards compensation under 'Change in Law' events for the period April 2024 to December 2024 amounting to ₹ 6.61 Crores along with applicable Late Payment Surcharge, up to the date of actual payment;

d) Direct the Respondent to continue to make the payment of the compensation under 'Change in Law' events for the period January 2025 onwards as per the Order dated 22.03.2025 passed by this Hon'ble Commission in Petition No. 338/MP/2022;

e) Condone any inadvertent omission/errors/shortcomings and permit the Petitioner to add/change/modify/alter the present pleading/petition and may also grant leave to the Petitioner to make appropriate submissions at any future date in regard to the present proceedings; and

f) Pass such other order/s which this Commission deems fit in the facts and circumstances of the instant case."

2. Subsequent to the filing of the instant Petition, the Petitioner, vide affidavit dated 29.8.2025, has submitted as under:

(a) The Commission, vide its Order dated 22.3.2025 in Petition No. 338/MP/2022, directed the Respondent to refund the due amount along with applicable Late Payment Surcharge within sixty days. However, the Respondent did not comply with the said direction.

(b) Aggrieved by the decision of the Commission in the Order dated 22.3.2025, TANGEDCO filed the Appeal No. 165 of 2025 before the APTEL on 19.5.2025 seeking a stay of the above Order dated 22.3.2025. The APTEL, vide its order dated 8.8.2025, has partially stayed the operation of the Order dated 22.3.2025 with directions to the TANGEDCO to pay 25% of the disputed amount

for the period subsequent to September 2020, along with the applicable LPS, and continue to make such payment during the pendency of Appeal No. 165 of 2025.

(c) In compliance with the APTEL's direction, the Respondent has disbursed payment towards 25% of the disputed amount for the period post September 2020, along with the applicable LPS, on 14.8.2025 and 22.0.2025.

(d) Since the Respondent has complied with the APTEL's direction, the instant Petition seeking execution of the order dated 22.3.2025 has become infructuous and accordingly, the same is withdrawn. The filing fees paid in the instant Petition be refunded or adjusted against the Petition to be filed in the future.

3. The matter was called out for the hearing on 10.9.2025. During the course of the hearing, the learned counsel for the Petitioner sought permission to withdraw the present Petition and submitted that an affidavit in this regard has already been placed on record. The learned counsel for the Petitioner requested to adjust or refund the filing fees paid in the instant Petition.

4. Considering the submissions made by the learned counsel for the Petitioner during the course of the hearing and the affidavit dated 28.8.2025, the Petitioner is permitted to withdraw the present Petition. However, we are not inclined to either adjust the filing fees paid in the present Petition or to refund the same to the Petitioner.

5. Accordingly, Petition No. 687/MP/2025 along with IA is disposed of as withdrawn.

Sd/-
(Ravinder Singh Dhillon)
Member

sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson