

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 239/MP/2024 along with IA No. 8/2025

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 for recovery of outstanding dues including Late Payment Surcharge, towards power supplied on Short Term basis.

Petitioner : Adani Energy Limited (AEL)

Respondents : Telangana State Power Coordination Committee and Ors.

Date of Hearing : **10.2.2026**

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

Parties Present : Shri Sourav Roy, Advocate, AEL
Shri Anshu Deshpande, Advocate, AEL
Shri Hemant Gupta, Advocate, AEL

Record of Proceedings

At the outset, the learned counsel for the Petitioner, AEL, submitted that the Petitioner is agreeable to referring the dispute to the arbitration. However, since there is no arbitration agreement between the parties, the consent of the other side, i.e., Telangana Discoms, may also be necessary, and they have not yet indicated their stand on arbitration. The learned counsel further submitted that if the Commission deems fit to adjudicate the dispute in question, then also the present dispute is squarely covered by the order dated 17.9.2018 passed by the Commission in Petition No. 158/MP/2017, wherein the Commission has exercised jurisdiction in cases where the Petition is filed by the trader against the distribution companies. He further submitted that the present case squarely falls within the composite scheme and that the Commission has jurisdiction in the matter. He further made detailed submissions in IA No. 8/2025 and relied upon the judgments of the Hon'ble Supreme Court in (i) *Mumbai International Airport Pvt. Ltd vs Regency Convention Centre & Hotels & Ors.*, and (ii) *Jahar Roy (Dead) through LRs. and Ors. Vs. Premji Bhimji Mansata and Ors.*, to submit that Adani Power Limited, being a proper party, ought to be impleaded as a Respondent in the matter. On the issue of limitation, the learned counsel relied upon the order dated 17.7.2025 passed by the Commission in Petition No. 307/MP/2023 to contend that the limitation issue already stands addressed by the Commission, and the present Petition is within the limitation period. Learned counsel further sought liberty to the details of back-to-back agreements on an affidavit.

2. Considering the submissions of learned counsel for the Petitioner, the Commission directed the Petitioner and the Respondents, Telangana Discoms, to file their respective written submissions in the matter within a week, with a copy to each other.

3. IA No. 8/2025 will be listed for hearing on **14.4.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)