

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 248/MP/2023

Subject : Petition under Section 11 read with Section 79 of the Electricity Act, 2003 seeking directions to Gujarat Urja Vikas Nigam Limited (GUVNL) to make payment of the cost of imported coal used by GMR Warora Energy Ltd for generation and supply of power to GUVNL pursuant to the Ministry of Power statutory directions dated 26.5.2022 issued under Section 11 of the Electricity Act and Clarification dated 21.3.2023.

Petitioner : GMR Warora Energy Limited (GWEL)

Respondents : Gujarat Urja Vikas Nigam Limited (GUVNL)

Date of Hearing : **6.8.2026**

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

Parties Present : Shri Vishrov Mukherjee, Advocate, GWEL
Ms. Ranjitha Ramachandran, Advocate, GUVNL
Shri Aneesh Baja, Advocate, GUVNL

Record of Proceedings

At the outset, the learned counsel for the Respondent, GUVNL, submitted that the Petitioner had introduced new documents after substantial completion of their arguments, without seeking leave of the Commission. Accordingly, the Respondent has filed a preliminary response objecting to the placing of such documents on record. She further submitted that before taking on record such documents, the Commission may hear the objections raised by the Respondent and an appropriate order may be passed in this regard. She further submitted that the documents were not merely supporting documents referred to in the pleadings, but included documents which had not been produced or responded to at the appropriate stage.

2. In response, the learned counsel for the Petitioner submitted that these documents, as adverted to by the Respondent, consist of merely four documents, have been filed by the Petitioner in terms of the directions issued vide Record of Proceedings dated 16.6.2026 and in response to the discrepancies pointed out by the Respondent in its submissions dated 17.3.2026. The learned counsel further submitted that the said documents are relevant to the issues already arising in the Petition and have been placed on record to substantiate the Petitioner's reply to the discrepancies raised by the Respondent. He further submitted that these documents include a certificate of sampling & analysis, letters addressed to Coal India, a novation

agreement and the letter issued by the novatee – demonstrating the complete chain of novation. The learned counsel further submitted that if the Respondent had any apprehension regarding the genuineness of these documents, it ought to have filed a detailed response on the merits rather than a mere preliminary response casting aspersion on their genuineness. The learned counsel also added that in any case, the provisions of the CPC do not strictly apply to the proceedings before this Commission. Accordingly, the learned counsel requested that the said documents be taken on record.

3. Considering the submissions of the learned counsel for the parties, the Commission directed the Respondent to file a detailed response to the documents placed on record by the Petitioner, within three weeks with a copy to the Petitioner, who may file its rejoinder, if any, within three weeks thereafter.

4. The Petition shall be listed for further hearing on **5.11.2026**.

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