

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 255/MP/2026

Subject : Petition under Sections 79(1)(b) and (f) of the Electricity Act, 2003 and in terms of the Power Purchase Agreements dated 22.4.2007 entered into between Gujarat Urja Vikas Nigam Limited and Tata Power Company Limited.

Petitioner : Gujarat Urja Vikas Nigam Limited (GUVNL)

Respondent : Tata Power Company Limited (TPCL) & Ors.

Date of Hearing : **20.7.2026**

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

Parties Present : Ms. Ranjitha Ramachandran, Advocate, GUVNL
Ms. Srishti Khindaria, Advocate, GUVNL
Shri S.Venkatesh, Advocate, TPCL
Shri Shreshth Ramesh Sharma, Advocate, TPCL
Ms. Shubhi Sharma, Advocate, TPCL
Ms. Shambhavi Jha, Advocate, TPCL
Ms. Vandana Ragwani, Advocate, TPCL
Shri Aashwyn Singh, Advocate, TPCL
Shri Vedant Choudhary, Advocate, TPCL

Record of Proceedings

The learned counsel for the Petitioner submitted that the present Petition has been filed seeking adjudication on the aspects of Force Majeure and its impact on the capacity charges and the computation of the Availability and consequently, recovery of the additional amounts billed by Respondent No.1/TPCL. The learned counsel submitted that according to the Petitioner, the Force Majeure claim raised by Respondent No.1/TPCL for the period from 29.8.2024 to 6.10.2024 does not qualify as a Force Majeure event under Article 12 of the PPA and that even if the alleged event is treated as Force Majeure, TPCL is not entitled to any capacity charges or deemed availability for the said period under Article 12.7 and Schedule 7 of the PPA and such a period must be excluded from computation of Normative Availability for FY 2024-25. The learned counsel submitted that the present Petition essentially raises the issue of the interpretation of Articles 12 and 12.1 read with 12.7 of the PPA.

2. The learned counsel for Respondent No.1/TPCL accepted the notice and sought time to file a reply.



3. Considering the submissions made by the learned counsels for the Petitioner and Respondent No.1/TPCL, the Commission directed as under:

(a) Admit and issue notice to the Respondents.

(b) The Respondents to file their replies, if any, within six weeks with a copy to the Petitioner, who may file its rejoinder(s), if any, within six weeks thereafter.

4. The Petition will be listed for hearing on **6.10.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)