

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 261/MP/2024

Subject : Petition under Section 79 (1)(f) read with Section 19 of the Electricity Act, 2003 read with Regulation 9, 13 and 20 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Trading License and other related matters) Regulations, 2020 seeking compensation for partial non-return of power by the Respondent as per power banking agreement dated 17.06.2022 and seeking revocation of the inter-state trading license granted to M/s Kreate Energy (I) Pvt. Ltd. (formerly Mittal Processors Pvt. Ltd.)

Petitioner : Andhra Pradesh Southern Power Distribution Co. Ltd. (APSPDCL) and Anr.

Respondents : Kreate Energy (I) Pvt. Ltd. (KEIPL)

Date of Hearing : **4.8.2026**

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

Parties Present : Shri Adarsh Tripathi, Advocate, KEIPL
Shri Vyom Chaturvedi, Advocate, APSPDCL

Record of Proceedings

At the outset, the learned counsel for the Respondent, KEIPL, submitted that DFR No. 268 of 2026, involving the same trader and the same issue concerning issuance of a show-cause notice, is pending before the Appellate Tribunal for Electricity (hereinafter referred to as "the APTEL") and is listed for hearing on 12.08.2026. He further submitted that a status quo order is presently in operation and that the APTEL is likely to consider its continuation on the next date of hearing. Learned counsel submitted that, since the trader, the issue involved, the relief sought, and the legal implications under Section 19 of the Electricity Act, 2003 and the relevant Regulations are identical, judicial propriety warrants awaiting the outcome of the proceedings before the APTEL before proceeding further in the present matter.

2. In response, the learned counsel for the Petitioner submitted that two distinct issues arise for consideration in the present Petition, namely, the issue relating to the proposed revocation of the trading licence and the Petitioner's claim arising out of the banking arrangement on account of the alleged default of the Respondent. He submitted that, without prejudice to the issue relating to the trading licence, the matter may be heard, at least to the extent of the Petitioner's claim under the banking arrangement.

3. After hearing learned counsel for the parties, the Commission directed that, in view of the pendency of an appeal before the APTEL involving the issues stated to be identical to those in the present Petition, it is appropriate to defer the hearing of the present Petition.

4. The matter will be listed for hearing on **3.9.2026 at 2.30 P.M.**

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