

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 278/MP/2023

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Regulations 111, 112 and 119 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for enforcement/execution of the tariff order dated 31.3.2021 passed by the Commission in Petition No. 104/TT/2020 directing bilateral billing and payment of transmission charges by the Respondent intra-State Transmission Licensee to the Petitioner on account of delay in execution of its downstream transmission network.

Petitioner : Power Grid Corporation of India Limited (PGCIL)

Respondents : Power Transmission Corporation of Uttarakhand Limited (PTCUL) and Anr.

Date of Hearing : **12.2.2026**

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

Parties Present : Shri Shubham Arya, Advocate, PGCIL
Ms. Reeha Singh, Advocate, PGCIL
Shri Karan Arora, Advocate, PTCUL
Shri Abhishek Kumar, Advocate, PTCUL
Ms. Supriya Singh, PGCIL

Record of Proceedings

Learned counsel for the Petitioner, PGCIL, submitted that the instant petition has been filed for enforcement of the Commission's order dated 31.3.2021 in Petition No. 104/TT/2020, wherein PTCUL was held liable to pay the transmission charges for the period of mismatch. He further submitted that Review Petition No. 21 of 2021 filed by PTCUL was also dismissed *vide* the Commission's order dated 22.5.2022. He also submitted that PTCUL has challenged the said order before the APTEL in Appeal No. 410 of 2022 along with an IA for interim relief, but no stay has been granted, and the appeal remains pending. Learned counsel submitted that PTCUL is liable to pay the outstanding dues of approximately ₹32.3 crore as per the Commission's order dated 31.3.2021.

2. He further submitted that despite the pendency of the matter for almost four years, PTCUL has neither cleared the dues nor filed its reply. Referring to PTCUL's letter dated 30.8.2023, the learned counsel submitted that the only reason cited by PTCUL for non-payment is the pendency of Appeal No. 410 of 2022 before the APTEL. He pointed out that no order of stay has been passed by the APTEL in the said appeal and pressed for a direction to PTCUL to pay at least the outstanding principal amount. The learned counsel also referred to similar cases, namely Petition Nos. 374/MP/2022 and 8/MP/2024, wherein the Commission directed the Respondents to clear outstanding dues, along with late payment surcharge, even when appeals were pending before APTEL, to secure compliance with the Commission's orders. He added that he does not wish to file any further rejoinder and requested that the matter be listed for final hearing.

3. Learned counsel for the Respondent, PTCUL, submitted that the Respondent did not press for a stay before the APTEL, as the learned counsel for the Petitioner in Appeal No. 410 of 2022 had assured that the Petitioner would not pursue execution proceedings before the Commission till the final disposal of the appeal. Based on this assurance, the Respondent did not seek any stay of the present proceedings. The learned counsel also opposed the Petitioner's request for an interim direction for payment in the absence of any application to this effect and prayed for two weeks' time to file a reply.

4. Considering the submissions made by the learned counsel for both parties, the Commission permitted the Respondent, PTCUL, a last opportunity to file its reply, if any, within 2 weeks, with an advance copy to the Petitioner.

5. The matter will be listed for the hearing on **17.3.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)