

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 380/MP/2026

Subject : Petition under Section 79 of the Electricity Act, 2003 read with the provisions of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 seeking enforcement/execution of the Commission's order dated 31.7.2023 in Petition No. 17/TT/2022 directing payment of the transmission charges by Respondent No. 1 to the Petitioner on account of delay in commissioning of its transmission assets.

Petitioner : Power Grid Corporation of India Limited (PGCIL)

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

Date of Hearing : **15.9.2026**

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
Shri Abhishek Kumar, Advocate, PTCUL
Ms. Shubham Mudgil, Advocate, PTCUL

Record of Proceedings

The matter was heard through video conferencing.

2. The learned counsel for the Petitioner submitted that the present Petition has been filed for the execution of the Commission's order dated 31.7.2023 in Petition No. 17/TT/2022. He further submitted that, aggrieved by the Commission's order dated 31.7.2023, Power Transmission Corporation of Uttarakhand Limited (PTCUL) filed Appeal No. 769 of 2023 before the Appellate Tribunal for Electricity (APTEL), which is pending adjudication. However, he submitted that APTEL has not granted any stay in the proceedings of this Petition. He requested that notice may be issued to the Respondents.

3. The learned counsel for PTCUL accepted notice on behalf of PTCUL. He sought some time to file a reply to the present Petition. He requested that the present Petition may be kept in abeyance and no order be passed, as the APTEL, vide its order dated 7.3.2024, granted interim protection on the recovery of the transmission charges.



4. The learned counsel for the Petitioner requested that the pleadings be completed and the matter be listed in December 2026; by that time, the outcome of the proceedings before the APTEL will also be clear. The learned counsel for PTCUL stated that he has no objection to this.

5. In response to the Commission's query about filing the present Petition under Section 79 of the Electricity Act, 2003 (the Act) rather than Section 142 of the Act, the learned counsel for the Petitioner submitted that it was the Petitioner's decision to seek execution of the Commission's order before invoking Section 142 of the Act to penalise the Respondents for non-compliance with the Commission's directions. He further submitted that the Commission has previously passed numerous orders in this regard, in accordance with the Hon'ble Supreme Court judgments holding that the court that has the power to pass orders also has the power to enforce them.

6. Further, the learned counsel for PTCUL submitted that the present Petition should have been filed under Section 142 of the Act to enforce the Commission's order.

7. After the hearing, the Commission directed as under:

- a) Admit and issue notice to the Respondents; and
- b) The Respondents to file their respective replies, if any, within two weeks, with an advance copy to the Petitioner, who may file its rejoinder, if any, within one week thereafter.

8. The Petition will be listed for hearing on **15.12.2026**.

By order of the Commission

**Sd/
(T. D. Pant)
Joint Chief (Law)**

