

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 496/MP/2024

Subject : Petition under Section 79 of the Electricity Act, 2003 for quashing the illegal claim of Rs. 48 crores raised by the Respondent TANGEDCO vide its letter(s) dated 31.7.2024 and 30.9.2024 towards the alleged Liquidated Damages in terms of Article 4.8.1 and 4.8.2 of the PPA dated 23.8.2013 read with the Addendum dated 10.12.2013 and the immediate threat of unilateral deduction of the said amount from the monthly invoice raised by the Petitioner, being barred by limitation.

Petitioner : BALCO

Respondent : TANGEDCO and 2 others

Date of Hearing : **31.7.2026**

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

Parties Present : Ms. Anusha Nagarajan, Advocate, TNPDCCL
Shri Rahul Ranjan, Advocate, TNPDCCL
Shri Sayandeep Chakraborty, Advocate, TNPDCCL

Record of Proceedings

At the outset, learned counsel appearing for the Respondent, TANGEDCO, submitted that while the Petitioner has not preferred an appeal against the order of the Commission dated 1.11.2025 in the present matter, the Respondent has filed a Review Petition before the Commission against the said order, which is at the diary stage. She prayed that the hearing of the present Petition be deferred in view of the pendency of the said Review Petition, as, vide order dated 1.11.2025, an interim protection has been granted to the Petitioner against any coercive action in respect of the bills raised, and that the said protection would continue till an order under Section 17 of the Arbitration and Conciliation Act, 1996 is passed by the Arbitral Tribunal.

2. None appeared on behalf of the Petitioner despite notice.

3. After considering the submissions made on behalf of the Respondent, the Commission adjourned the matter. The Petition will be listed for the hearing after disposal of the Review Petition filed by the Respondent against the order dated 1.11.2025. The parties are at liberty to mention the matter for listing after the disposal of the said Review Petition.

By order of the Commission

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

