

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 811/MP/2025 along with IA No. 87/2025

Subject : Petition under Section 142 of the Electricity Act, 2003 and Regulation 70(2) of CERC (Conduct of Business) Regulations, 2023 read with Order XXI Rule 10 of Code of Civil Procedure Code, 1908 and read with Regulation 65 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 and Section 151 of Code of Civil Procedure Code, 1908 seeking execution/ enforcement/ compliance of this Commission's Order dated 17.4.2023 passed in I.A. No. 12 of 2023 in Petition No. 246/MP/2022.

Petitioner : Maharashtra State Electricity Distribution Company Limited (MSEDCL)

Respondents : Coastal Gujarat Power Limited & Ors.

Date of Hearing : **30.7.2026**

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

Parties Present : Shri Basava Prabhu Patil, Sr. Advocate, MSEDCL
Shri Vishal Binod, Advocate, MSEDCL
Shri Aditya Dubey, Advocate, MSEDCL
Ms. Swadha Sharma, Advocate, MSEDCL
Shri Venkatesh, Advocate, TPCL
Shri Shreyshth Ramesh Sharma, Advocate, TPCL
Ms. Shubhi Sharma, Advocate, TPCL
Ms. Shambhavi Jha, Advocate, TPCL
Shri M G Ramachandran, Sr. Advocate, GUVNL
Ms. Ranjita Ramachandran, Advocate, GUVNL
Ms. Shristi Khindaria, Advocate, GUVNL
Ms. Poorva Saigal, Advocate, PSPCL
Ms. Kaavya Madaan, Advocate, PSPCL
Shri Gajendra Singh Vasava, WRLDC
Ms. Momai Dey, WRLDC

Record of Proceedings

Learned senior counsel for the Petitioner, MSEDCL, submitted that the Respondents, CGPL and TPCL, have not complied with the order dated 17.4.2023 passed in I.A. No. 12 of 2023 in Petition No. 246/MP/2022 in regard to the PPA dated 22.4.2007 wherein the Commission had directed CGPL and TPCL to discharge their contractual obligations towards the Petitioner and supply power to it, in accordance with the provisions of the PPA, pending final adjudication of Petition No. 246/MP/2022 by the Commission. The interim order dated 17.4.2023 was challenged by the Respondents before the APTEL in Appeal No. 455/2023 and, *vide* order dated 27.7.2026, the APTEL has directed the Commission to continue with the Section 142 proceedings; however, it was also directed that the Commission shall not pass any effective order in today's hearing. While highlighting the conduct of TPCL, he further submitted that immediately upon the expiry of the Ministry of Power's Section 11 directions on 30.6.2025, TPCL declared all the five units under Forced Outage from 3.7.2025 citing various reasons which are not backed by any logic or evidence. He pointed out that TPCL has completely failed to comply with the Commission's order dated 17.4.2023 directing it to discharge its obligation and supply the power to the Petitioner for the period during which Section 11 directions were not in force, i.e., from 1.7.2025 to 31.3.2026.

2. Learned counsel for the Respondents, CGPL and TPCL, submitted that TPCL has filed its reply on the aspect of jurisdiction of the Commission as well as on the maintainability of the present execution Petition and the same is to be decided first before going into the merits of the case. He also pointed out that at present the Ministry of Power's Section 11 directions are in force till 30.9.2026 and, in compliance with the said directions, TPCL is supplying power.

3. Considering the above, the Commission deemed it appropriate to adjourn the matter.

4. Accordingly, the matter will be listed for the hearing on **15.9.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)