

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 283/MP/2012

Subject : Petition under Sections 61, 63 and 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding, including the PPA.

Date of hearing : 27.11.2014

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri M. Deena Dayalan, Member
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member

Petitioner : Coastal Andhra Power Limited

Respondents : Andhra Pradesh Central Power Distribution Company Limited and Others

Parties present : Shri J.J. Bhatt, Sr. Advocate, CAPL
Ms. Poonam Verma, Advocate, CAPL
Shri Aavnav Patnaik, Advocate, Respondents No. 5 to 9
Ms. Mahima Sinha, Advocate, Respondents No. 5 to 9
Shri Rakesh K Sharma, AP TRANSCO
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri K. Thenmozhi, TANGEDCO
Shri V.K. Jain, TANGEDCO

Record of Proceedings

At the outset, the Commission enquired about the present status of the LPA before the Hon'ble High Court of Delhi. In response, learned senior counsel for the petitioner submitted that on the last date of hearing, i.e., 27.8.2013, the Commission had adjourned the matter *sine die* with the liberty to the petitioner to approach the Commission after disposal of the matter by the Delhi High Court.

2. Learned counsel for the respondents submitted that the petition should be dismissed by the Commission or withdrawn by the petitioner as the appeal in the High Court of Delhi is still pending. They further submitted that the petitioner in June 2013 mentioned that it would file an application before the Delhi High Court to withdraw the appeal. The petitioner has not taken any steps in this regard till date.

3. The Commission observed that the petition is merely adding to the pendency list before the Commission and should be disposed of with liberty to the petitioner to approach the Commission after disposal of the appeal.

4. Learned senior counsel for the petitioner submitted that the petitioner would move the I.A. for listing the matter before the Delhi High Court within one week and requested to keep this petition pending till further order of the Delhi High Court.

5. After hearing the learned senior counsel for the petitioner and learned counsel for the respondents, the Commission directed the petitioner to place on record the steps taken by the petitioner to expedite the hearing of the matter before the High Court of Delhi by 5.1.2014 to enable the Commission to take a view on the petition.

6. The Commission directed that the petition may be listed early.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**