

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 230/MP/2018**

Subject : Petition under Section 142 of the Electricity Act, 2003 for violation of Regulation 10 of the DSM Regulations 2014 and for persistent default in payment of ERLDC charges stipulated under CERC (RLDC Fees & Charges and related matters) Regulations, 2015 by M/s Ind-Barath Energy (Utkal) Limited

Date of Hearing : 27.2.2019

Coram : Shri P. K. Pujari, Chairperson  
Dr. M. K. Iyer, Member  
Shri I.S.Jha

Petitioner : Eastern Regional Load Despatch Centre

Respondents : Ind-Barath Energy (Utkal) Limited and Others

Parties present : Shri Ashok Rajan, ERLDC  
Shri Manas Das, ERLDC

**Record of Proceeding**

The representative of the Petitioner submitted that the present petition has been filed for seeking permission to de-register the Ind-Barath Energy (Utkal) Limited as an 'user' of ERLDC due to persistent failure in making payment of ERLDC fees and charges.

2. None was present on behalf of the Respondents despite notice.
3. The Commission observed that since, the matter with regard to the Respondent, Ind-Barath Energy (Utkal) Limited is pending before the National Company Law Tribunal (NCLT) under the applicable provisions of Insolvency and Bankruptcy Code, 2016, the Petitioner may file its claim before NCLT. As regards the cancellation of the registration, the Commission will take a view in the matter.
4. The Commission reserved order in the Petition.

**By order of the Commission**

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