

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 227/MP/2018

Coram:

Shri P.K. Pujari, Chairperson

Dr. M.K. Iyer, Member

Date of Order: 18th of January, 2018

In the matter of

Petition under Section 142 read with Section 149 of the Electricity Act, 2003 and Regulations 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 inter alia seeking initiation of appropriate action against the Respondents for non-compliance of the order dated 19.12.2017 in Petition No. 229/MP/2016.

And

In the matter of

DB Power Ltd.
Corporate Block, DB City Park,
DB City, Arera Hills,
Opposite MP Nagar, Zone-I,
Bhopal-462 016

..... **Petitioner**

Vs.

1. Chairman Cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.
6th Floor, Eastern Wing,
144, Anna Salai, Chennai-600 002

2. Chief Engineer, Private Power Project
Tamil Nadu Generation and Distribution Corporation Ltd.
6th Floor, Eastern Wing,
144, Anna Salai, Chennai-600 002

....**Respondents**

Parties Present:

Shri Deepak Khurana, Advocate, DB Power
Shri S. Vallinayagam, Advocate, TANGEDCO

ORDER

The Petitioner, DB Power Ltd., has filed the present Petition under Section 142 read with Section 149 of the Electricity Act, 2003 and Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking initiation of appropriate action against the Respondents for non-compliance of the Commission's order dated 19.12.2017 in Petition No. 229/MP/2016. The Petitioner has made the following prayers:

- “(a) Initiate appropriate action against the Respondents, jointly and severally, under Section 142 of the Electricity Act, 2003 and/or any other appropriate provision/s of the Electricity Act, 2003, for contravention and wilful disobedience of the directions issued by the Hon'ble Commission in Order dated 19.12.2017 passed in Petition No. 229MP/2016;
- (b) Direct the Respondents to forthwith comply with the Order dated 19.12.2017 passed in Petition No. 101/MP/2017 and forthwith pay the amounts under the Supplementary Invoices raised by the Petitioner;
- (c) Direct the Respondents to comply with the Order dated 14.3.2018 passed by this Commission in Petition No. 13/SM/2017.”

2. During the course of hearing, learned counsel for the Petitioner submitted that subsequent to the direction of the Appellate Tribunal for Electricity, the Respondent, Tamil Nadu Generation and Distribution Corporation Ltd. is making payment towards change in law events. Learned counsel for the Petitioner sought permission to withdraw the present Petition.

3. The prayer of the Petitioner is allowed. Accordingly, Petition No. 227/MP/2018 is disposed of as withdrawn.

Sd/-
(Dr. M.K. Iyer)
Member

sd/-
(P.K. Pujari)
Chairperson