

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 183/MP/2019

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 seeking adjudication of disputes arising out of the Agreement for Power Procurement executed between the Petitioner and the Respondent Nos. 2 to 5.

Date of Hearing : 22.3.2022

Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : Jindal India Thermal Power Limited (JITPL)

Respondents : Railway Energy Management Company Limited (REMCL) and 4 Ors.

Parties Present : Shri Amit Kapur, Advocate, JITPL
Shri Akshat Jain, Advocate, JITPL
Shri Pratyush Singh, Advocate, JITPL
Shri Amit Mittal, Advocate, JITPL
Shri Pulkit Aggarwal, Advocate, Indian Railways REMCL
Shri Pulak Srivastava, JITPL
Shri Sanjay Singh, REMCL
Shri Manish Towari, REMCL

Record of Proceedings

Case was called out for virtual hearing.

2. During the course of hearing, learned counsel for the Petitioner referred to the note of arguments and made detailed submissions in the matter. Learned counsel for the Respondents also made the detailed submissions in the matter by placing the reliance on the articles of Agreement for Power Procurement entered into between the parties.

3. Considering the request of the learned counsel for the parties, the Commission directed the Petitioner and the Respondents to file their respective written submissions (alongwith a brief note of argument containing highlights of written submissions in not exceeding three pages for a quick look) within four weeks with copy to other side and to include in their views regarding relevance of term "deemed" as prefixed to Performance Security under Article 9.4 of the Agreement in the written submissions. The Commission further directed the Petitioner to provide a copy of the note of arguments as relied upon to the Respondents.

4. Subject to the above, the Commission reserved the matter for order.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)

