

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 534/MP/2020

Coram:

Shri Jishnu Barua, Chairperson

Shri I.S. Jha, Member

Shri Arun Goyal, Member

Shri P.K. Singh, Member

Date of Order: 26th April, 2023

In the matter of

Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 read with Article 10 of the Case-1 long-term Power Purchase Agreement dated 27.11.2013 read with Addendum No. 1 dated 20.12.2013 entered into between Dhariwal Infrastructure Limited and Tamil Nadu Generation and Distribution Corporation Limited for supply of 100 MW Contracted Capacity from Unit 2 of its 2 x 300 MW Coal-based thermal generating station located at Tadali, Chandrapur in the State of Maharashtra to Tamil Nadu Generation and Distribution Corporation Limited, and in compliance with the directions of the Hon'ble Commission in the Order dated 29.03.2020 passed in Petition No. 327/MP/2018 along with IA No. 87/2018.

And

In the matter of

Dhariwal Infrastructure Limited,

Registered Office: CESC House

Chowringhee Square

Kolkata – 700 001

West Bengal

... **Petitioner**

Vs

Tamil Nadu Generation and Distribution Corporation Limited,

6th Floor, Eastern Wing,

144, Anna Salai

Chennai – 600 002

... **Respondent**

Parties present:

Ms. Divya Chatuvedi, Advocate for the Petitioner

Shri Jai D., Advocate for the Petitioner

Ms. Anusha Nagrajan, Advocate for TANGEDCO

Shri Rahul Ranjan, Advocate for TANGEDCO

ORDER

The Petitioner, Dhariwal Infrastructure Limited, has filed the present Petition with the following prayers:

“(a) *Admit the Petition;*

(b) *Direct the Respondent to make a payment towards cost of procurement and use of Washed Coal during FY 2016-17 to FY 2019-20 along with carrying cost from FY 2016-17 till payment thereto, as elaborated in Para 15 above;*

(c) *Direct the Respondent to make payment for compensation towards cost of procurement and use of Washed Coal for future years worked out along with all other types of coal over and above the FSA Grade Coal under the same methodology prescribed by this Hon'ble Commission in the Order dated 29.03.2020;*

(d) *Condone any inadvertent omission/errors/shortcomings and permit the Petitioner to add/change/modify/alter the present pleading/petition and may also grant leave to the Petitioner to make appropriate submissions at any future date in regard to the present proceedings; and*

(e) *Pass such other order/s which the Commission deems fit in the facts and circumstances of the instant case.”*

2. During the course of hearing on 24.4.2023, learned counsel for the Petitioner sought permission to withdraw the instant Petition with liberty to approach this Commission by filing a fresh Petition, if required.

3. In view of the submission of learned counsel for the Petitioner, the Petitioner is permitted to withdraw the present Petition.

4. Accordingly, the Petition No. 534/MP/2020 is disposed of as withdrawn.

Sd/-
(P.K.Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(I.S. Jha)
Member

sd/-
(Jishnu Barua)
Chairperson