

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.122/MP/2022

- Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 18.11 (g) of the Request for Proposal for purchase of power bearing Tender Specification No. 24/SPATC-155/2015 dated 22.12.2015 and read with terms and conditions of the Letter of intents dated 18.01.2016, 28.01.2016 and 30.01.2016 issued by Uttar Pradesh Power Corporation Ltd. to Tata Power Trading Company Ltd. seeking direction of payment of late payment surcharge on account of delay by UPPCL in honouring the invoice(s) raised by Petitioner in terms of Order dated 17.09.2018 in Petition No. 158/MP/2017 issued by this Commission.
- Petitioner : Jindal India Thermal Power Limited (JITPL)
- Respondent : Uttar Pradesh Power Corporation Limited (UPPCL) and Anr.
- Date of Hearing : **19.2.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Parties Present : Shri Aman Seikh, Advocate, JITPL
Ms. Archita Kashyap, Advocate, JIPTL
Shri Abhishek Kumar, Advocate, UPPCL
Shri Venkatesh, Advocate, TPTCL
Shri Suhael Buttan, Advocate, TPTCL
Shri Vedant, Advocate, TPTCL

Record of Proceedings

At the outset, the learned proxy counsel for the Petitioner prayed for an adjournment on the grounds of the non-availability of the arguing counsel due to personal exigency. The Commission noted that vide Record of Proceedings for the hearing dated 28.11.2023, the Petitioner's request for an adjournment was allowed as a last opportunity. However, keeping in view the ground put forth, the Commission acceded to the Petitioner's request for an adjournment as an exception and indicated that no further request for adjournment at the behest of the Petitioner would be entertained in the matter for any reason whatsoever.

2. Learned counsel for Respondent No. 1, UPPCL, requested that the matter may be listed for the hearing only after 25th March 2024.
3. The Petition will be listed for the hearing on **15.5.2024**.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**