

Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017.

F.11(2123)/DERC/2023-24/7831

I.A. No. 09/2024
in
Petition No. 33/2023

In the matter of: **Application under Section 94(2) of the Electricity Act, 2003 read with Order VII Rule 11 of CPC, 1908 seeking rejection of the Petition filed by Sikkim Urja Ltd.**

and

Petition No. 33/2023

In the matter of: **Petition under Section 86(1)(f) read with Section 158 of the Electricity Act, 2003 seeking appointment of arbitrator for adjudication of all disputes between the parties herein or in alternative for adjudication of disputes between the parties by this Commission.**

New Delhi Municipal Council

....Petitioner

Vs.

PTC India Ltd. & anr.

...Respondents

Coram:
Hon'ble Justice (Retd.) Jayant Nath, Chairperson

Appearance:

- 1. Mr. Tushar Sannu, Additional Standing Counsel, NDMC**
- 2. Mr. Shobhan Sachdeva, Advocate, NDMC**
- 3. Mr. Akshat Jain, Advocate, PTC India Ltd.**
- 4. Mr. Shikhar Verma, Advocate, PTC India Ltd.**
- 5. Mr. Vidhan Vyas, Advocate, Sikkim Urja Ltd.**
- 6. Mr. Syed H Shah, Advocate, Sikkim Urja Ltd.**

Record of Proceedings

(Date of Hearing: 07.08.2024)

(Date of Order: 07.08.2024)

1. I.A. no. 09 of 2024 is an application filed by Respondent No.2/Sikkim Urja Ltd. under Order VII Rule 11 CPC seeking dismissal of the Petition on the ground that Respondent No.2 is an Inter-State power generator and jurisdiction to determine the issues raised herein are with CERC. Issue notice.

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2. Learned Counsel for the Petitioner and Respondent No.1 state that they do not have copy of the application. Let copies be served upon them within two days. Reply be filed within three weeks. List thereafter.

**Sd/-
(Justice (Retd.) Jayant Nath)
Chairperson**