



Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17.

No. F.11(787)/DERC/2011-12/

Petition No. 10/2012

In the matter of: Petition under Section 86(1)(b) and 86(1)(f) of the Electricity Act, 2003 in connection with the disputes and differences arising under the PPA dated 18.07.2008 between the Maithon Power Limited and BRPL

Maithon Power Limited
Jeevan Bharti, 10th Floor,
Tower I, 124,
Connaught Circus,
New Delhi-110 001

.....Petitioner

Vs.

BSES Rajdhani Power Limited
2nd Floor, B-Block
BSES Bhawan, Nehru Place,
New Delhi 110 019

....Respondent No. 1

Tata Power Trading Company Limited
Mahalaxmi Receiving Station,
Senapati Bapat Marg,
Lower Parel,
Mumbai-400013, Maharashtra

....Respondent No. 2

Coram:

**Sh. P.D. Sudhakar, Chairman, Sh. Shyam Wadhera, Member &
Sh. J.P. Singh, Member.**

Appearance:

1. Mr. Sakya Singha Choudhuri, Adv. MPL
2. Ms. Mandakini, Adv. MPL
3. Mr. V.P. Singh, Adv. BRPL
4. Mr. Paresh B. Lal, Adv. BRPL
5. Ms. Megha Bajpeyi

ORDER

(Date of Hearing: 05.03.2013)
(Date of Order 12.03.2013)

01. Mr. Sakya Chaudhuri, Ld. Counsel for the Petitioner submitted that the Commission during the last hearing on 20.11.2012 had observed that BRPL should first file its written submissions on the issue of jurisdiction of the Commission to adjudicate the present matter. However, BRPL has not filed its written submissions till date.
02. Ld. Counsel further submitted that in the absence of the written submissions of Respondent No. 1 it is not possible for the Petitioner to argue the matter further.

03. Mr. V.P. Singh, Ld. Counsel for BRPL filed the written submissions during the course of the proceedings with a copy to the Petitioner.
04. Ld. Counsel for the Petitioner sought 10 days time to file the rejoinder. The Commission has granted liberty to the Petitioner to file the rejoinder within 10 days with an advance copy to the Respondents.
05. The matter is listed for further hearing on 30.04.2013
06. Ordered accordingly

Sd/-
(J.P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRMAN