

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH

Petition No. 46 of 2023
alongwith IA No. 12 of 2023
Date of Hearing: 11.08.2023
Date of Order: 11.08.2023

Petition under Section 86 (1)(B) and (F) of the Electricity Act, 2003
on behalf of Punjab State Power Corporation Limited.

AND

In the matter of: Punjab State Power Corporation Limited

.....Petitioner

Vs.

Nabha Power Limited. Post Box No. 28, near Nalash, Rajpura,
Punjab - 140401.

.....Respondent

With

Petition No. 47 of 2023

Petition under Section 86 of the Electricity Act, 2003 read with
Order XXI of the Code of Civil Procedure, 1908 for execution of
order dated 04.12.2019 in Petition No. 28 of 2018 and initiation of
proceedings under Section 142 read with Section 146 of the
Electricity Act, 2003 against Punjab State Power Corporation
Limited in relation thereto.

AND

In the matter of: Nabha Power Limited. Post Box No. 28, near Nalash, Rajpura,
Punjab - 140401.

.....Petitioner

Vs.

Punjab State Power Corporation Ltd.

.....Respondent

Commission: Sh. Viswajeet Khanna, Chairperson
Sh. Paramjeet Singh, Member

Petition No. 46 of 2023

Petitioner: Sh. Sakya Chaudhary, Advocate
Ms. Harmohan Kaur, CE/ARR&TR
Sh. J.K, Jindal, Sr.Xen

Sh. Kulvir Singh, Addl.SE
Sh. Gursharan Singh ASE/Fuel
Sh. Simranjit Singh, AEE/Fuel

Respondent: Sh. Aniket Prason, Adovocate
Sh. Priya Dhankar, Advocate
Sh. Balram Verma
Sh. Rajnish Kaushik
Sh. Ritveek M. Dhal
Sh. Dikshant Pal

Petition No. 47 of 2023

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Sh. Priya Dhankar, Advocate
Sh. Balram Verma
Sh. Rajnish Kaushik
Sh. Ritveek M. Dhal
Sh. Dikshant Pal

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Sh. Simranjit Singh, AEE/Fuel

ORDER

PSPCL has filed the Petition No. 46 of 2023 for quashing the invoice bearing invoice No. NPL/CD/JU/PSPCL/SEI/230602/1 raised by NPL claiming Rs. 164.14 Crores towards procurement of 2.36995 Lakhs MT of imported/alternate coal from October 2017 to March 2018 and also filed I.A. No. 12 of 2023 for staying the operation of the same. NPL has filed preliminary objections to the maintainability of the Petition. The Ld. Counsel for PSPCL requested for time to file reply to the preliminary objections raised by NPL. The same may be filed by PSPCL within 2 weeks with a copy to NPL (through soft copy & hard copy).

NPL has also filed Petition No. 47 of 2023 praying for initiating proceedings under Section 142 read with Section 146 of the Electricity Act 2003, against PSPCL for its failure to comply with the directions of the Commission vide order dated 04.12.2019 in Petition No. 28 of 2018 and to direct PSPCL to make payment of

Rs. 164.13,68,544/- to the petitioner against the revised bills submitted by NPL from November 2017 to March 2018. PSPCL may file its reply to the Petition within 02 weeks with a copy to NPL (through hard copy & soft copy).

As both the Petitions, Petition No. 46 of 2023 filed by PSPCL and Petition No. 47 of 2023 filed by NPL, arise from the Order dated 04.12.2019 passed by the Commission in Petition No. 28 of 2018, the same are clubbed and shall be heard together and the issues raised by the parties shall be decided accordingly. The Ld. counsel for PSPCL impressed upon the immediate stay of the said invoice as the triggered date falls on 17.8.2023. On this NPL has stated that at least the principal amount be paid pending the final decision of the matter. Both the parties have consented that principal amount be paid meanwhile. Accordingly, the Commission directed PSPCL to release the principal energy charges for the imported coal as raised by NPL pending the final decision in the petition.

The Petitions shall be taken up for hearing on admission on 04.10.2023 at 11.30 AM.

Sd/-

(Paramjeet Singh)
Member

Sd/-

(Viswajeet Khanna)
Chairperson

Chandigarh
Dated: **11.08.2023**