

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION

BHOPAL

Sub: In the matter of Petition filed under section, 86(1)(a), and Section 86(1)(e) and in the matter of levy of Additional Surcharge on wheeling at ON SITE Co-generation Captive Power Plant of the Petitioner contrary to the order dt. 10.12.2021 of Hon'ble supreme Court in Civil Appeal No. 5074-5075 of 2019 in the matter of JSW steels & others and Hon'ble APTEL order dt. 06.01.2023 in RP No. 10 of 2022 & IA Nos. 2157 & 2156 of 2022 and RP No. 11 of 2022 & IA Nos. 2156 of 2022 in the matter of Prism cement and others.

Petition No. 19 of 2023

DAILY ORDER

**(Hearing through video conferencing)
(Date of Motion Hearing: 04th July' 2023)
(Date of Daily Order: 04th July' 2023)**

Tirupati Starch & Chemicals Limited,
Shree Ram Chambers, 1st Floor,
12 Agrawal Nagar, Main Road,
Indore, 452001

- **Petitioner**

Vs.

The Managing Director,
MPPKVVCL, GPH Compound,
Pologround, Indore

- **Respondent**

Shri Dheeraj Singh Pawar, Advocate appeared on behalf of the petitioner.

The Petitioner has filed the subject petition under section, 86(1)(a) and Section 86(1)(e) against levy of additional surcharge on captive consumption of electricity from their On-Site Co-generation Captive Power Plant. During motion hearing, Petitioner reiterated the issues raised in the petition and requested to admit the petition and to issue directions to Respondent.

After hearing the matter, Petition is admitted. Petitioner is directed to serve a copy of petition to Respondent within 7 days and Respondent is directed to file their response within 15 days of receipt of petition with copy to Petitioner. Petitioner may file his rejoinder within 15 days of receipt of response from Respondent.

The case is fixed for hearing on **16th Aug 2023**.

(Prashant Chaturvedi)
Member

(Gopal Srivastava)
Member (Law)