

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION
BHOPAL**

Subject: Petition under section 94(1)(f) of the Electricity Act, 2003 for review of Order dated 29.11.2021 passed in Petition No. 26 of 2021 – M/s Lanco Amarkantak Power Ltd., v. MP Power Management Co. Ltd., & Anr.

R.P. No. 38 of 2025 & IA No. 15 of 2025

DAILY ORDER

(Hearing through Video Conferencing)
(Date of Motion Hearing: 11th June, 2025)
(Date of Daily Order: 11th June, 2025)

MP Power Management Company Limited

Shakti Bhawan, Rampur,
Jabalpur (MP) - 482008

- **Petitioner**

V/s

1. Korba Power Ltd.,

(Formerly known as Lanco Amarkantak Power Ltd.,)
Flat no. 5A, 5th Floor, D.No.6-3-626/1/601,
Parameshwara Apartment, Ananad Nagar,
Khairatabad, Hyderabad- 500004, Telangana

2. PTC India Ltd.,

(Formerly known as Power Trading Corpn. of India Ltd.)
2nd Floor, NBCC Tower,
15, Bhikaji Cama Place,
New Delhi – 110066

- **Respondents**

Shri Ashish Anand Bernard, Advocate and Shri Nitin Khatri appeared on behalf of Review Petitioner.

Petitioner has filed the subject petition for review of the Commission's order dated 29.11.2021 passed in petition No. 26 of 2021. Petitioner has also filed an Interlocutory Application for condonation of 1230 days' delay in filing this review petition.

2. Ld. Counsel of the petitioner Shri Bernard, while placing reliance on Energy WATCHDOG vs. CERC (2017) 14 SCC 80 argued that present case falls under composite scheme, therefore, as per Section 79(1)(b) of Electricity Act, 2003, the State Commission has no jurisdiction and the matter should be decided by CERC. After elaborating previous petition's order dated 29.11.2021, Ld. Counsel placing reliance on Kiran Singh vs. Chaman Paswan (1954) 1 SCC 710 and Sourabh Jain vs. ABP Design (2022) 18 SCC 633 vehemently argued that order or judgment without jurisdiction is nullity and it can be challenged at any stage even during execution or collateral proceedings.

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3. After hearing the Ld. Counsel, the Commission is of the view that petition should be decided after hearing both the parties. Hence the petition is admitted. Notices to the respondents be issued as per the Regulations.
4. The petition is listed for hearing on the 16.07.2025.

(Prashant Chaturvedi)
Member

(Gopal Srivastava)
Acting Chairman