

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION  
BHOPAL**

**Subject: In the matter of Petition for review of the order dated 26.07.2022 passed in petition no. 72 of 2021, under section 94 of the Electricity Act, 2003 and under order 47 rule 1 and 2 of the code of civil procedure, 1908 read along with regulation 40 of the MPERC (conduct of business) Regulations, 2016.**

**Petition No. 65 of 2022 & IA no. 16 of 2022 & 17 of 2022**

**DAILY ORDER**

(Hearing through Video Conferencing)

(Date of Motion Hearing: 09<sup>th</sup> November'2022)

(Date of daily order: 10<sup>th</sup> November'2022)

**M.P. Power Management Co. Ltd.**

Shakti Bhawan, Block No. 2, Rampur,  
Jabalpur – 482008

- **Petitioner**

v/s

**MB Power (Madhya Pradesh) Ltd.**

Laharpur, Jaithari,  
Anuppur, Madhya Pradesh- 484330

- **Respondent**

Shri Ashish Barnard, Advocate and Shri Nitin Kumar Khatri appeared on behalf of petitioner.

M.P. Power Management Co. Ltd. has filed this petition for review of the Commission's order dated 26.07.2022 passed in petition no. 72 of 2021 regarding adjudication of disputes due to non-payment of capacity charges / fixed charges for the period of April' 2020 and May' 2020 by invoking "Force Majeure" provision under PPA. The subject petition is filed under section 94 of the Electricity Act, 2003 and under order 47 rule 1 and 2 of the Code of Civil Procedure, 1908 read alongwith Regulation 40 of the MPERC (conduct of business) Regulations, 2016.

2. Petitioner was heard on the issue of admissibility of the subject petition and on application for interim relief. The case is reserved for order on admissibility. Meanwhile, operation of the order dated 26.07.2022 in petition No. 72 of 2021 passed by the Commission shall remain stayed till order as aforesaid is pronounced by the Commission.

(Gopal Srivastava)  
Member (Law)

(Mukul Dhariwal)  
Member

(S.P.S. Parihar)  
Chairman