

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION
BHOPAL**

Subject: In the matter of Petition under Section 94(1)(1) of the Electricity Act, 2003 r/w Regulation 40 of MPERC (Conduct of Business) (Revision-1) Regulations, 2016 and section 114 r/w Order XLVII Rule 1, Code of Civil Procedure, 1908 seeking review and/or modification of the order dated 26.07.2023 passed by the Commission in Petition No 25 of 2023.

Petition No. 50 of 2023

ORDER

**(Hearing through Video Conferencing)
(Date of Motion Hearing: 29th November, 2023)
(Date of Order: 5th December, 2023)**

M/s PENCH Thermal Energy (MP) Ltd.,
Adani Corporate House, Shantigram,
Near Vaishno Devi Circle, SG Highway,
Khodiyar, Ahemdabad- 382421

- **Petitioner**

V/s

- 1. M.P. Power Management Company Ltd.,**
Shakti Bhawan, Rampur,
Jabalpur – 482008
- 2. Adani Power Ltd.,**
Adani Corporate House, Shantigram,
Near Vaishno Devi Circle, SG Highway,
Khodiyar, Ahemdabad-382421
- 3. Mahan Energen Ltd.,**
Adani House C- 105, Anand Niketan,
New Delhi- 110021

Respondents

Shri Amit Kapoor, Advocate and Shri Dileep Kumar Moolchandani appeared on behalf of Petitioner.

M/s PENCH Thermal Energy (MP) Limited has filed the subject petition for review of the Commission's Order dated 26.07.2023 in petition No. 25 of 2023. Aforesaid petition No. 25 of 2023 was filed by the same petitioner under Section 86(1)(b) of the Electricity Act, 2003 read with Regulation 4.24 of the MPERC (Power Purchase and Procurement Process) Regulations, 2023 seeking approval of the draft Supplementary Power Supply Agreement (PSA) to be executed amongst MP Power Management Company Limited, PENCH Thermal Energy (MP) Limited and Mahan Energen Limited, for assigning the Power Supply Agreement dated 12.03.2020, executed between MP Power Management Company Limited and PENCH Thermal Energy (MP) Limited, to Mahan Energen Limited and extension of time for fulfilling the Conditions precedent and achieving Financial Close.

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2. Case was listed for motion hearing on 29.11.2023 wherein Ld. Counsel appearing on behalf of the petitioner submitted the brief of the subject review petition and requested for admission of the petition. After hearing the petitioner, the case was reserved for order on admissibility.

3. The petition is admitted. Notices be issued to Respondents.

The case is fixed for hearing on 13.12.2023.

(Prashant Chaturvedi)
Member

(Gopal Srivastava)
Member (Law)