

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION
BHOPAL**

Sub: In the matter of petition filed by M/s. Lanco Amarkantak Power Ltd under Section 86 of the Electricity Act, 2003 seeking declaration with regards to “Change in Law” provisions in the PPA dated 11.05.2005 read with Implementation Mechanism for the PPA dated 24.11.2012 and PSA dated 30.05.2005 read with Implementation Mechanism for the PSA dated 26.11.2012, in respect of the MoEFCC notification dated 07.12.2015, to enable the Petitioner(s) to comply with the same and to in turn continue to supply power on long term basis.

Petition No. 31 of 2017

ORDER

(Date of Motion Hearing: 12th October’ 2017)

(Date of Order: 13th October’ 2017)

M/s. LANCO Amarkantak Power Ltd.

Lanco House, Plot No. 397, Udyog Vihar,
Phase-III, Gurgaon- 122 016 (Haryana)

Petitioner

V/s

1. M.P. Power Management Company Ltd, Jabalpur

Block No. 11, Shakti Bhawan, Rampur, Jabalpur – 482008

Respondents

2. PTC India Ltd.,

2nd Floor, NBCC Tower, 15, Bhikaji Cama Place,
New Delhi – 110066

Shri Akshay Pare, Advocate appeared on behalf of the Petitioner.

M/s. Lanco Amarkantak Power Ltd. has filed the subject petition seeking declaration with regard to “Change in Law” provisions in the PPA dated 11.05.2005 read with Implementation Mechanism for the PPA dated 24.11.2012 and PSA dated 30.05.2005 read with Implementation Mechanism for the PSA dated 26.11.2012, in respect of the MoEFCC notification dated 07.12.2015, to enable the Petitioner(s) to comply with the same and to in turn continue to supply power on long term basis.

2. During the course of last motion hearing held on 26th September’ 2017, the representative appeared on behalf of the petitioner had requested for postponement of the hearing as their Counsel was not available to attend the hearing. Considering the request of the petitioner, the case was again fixed for motion hearing on 12th October’ 2017.

3. During the course of motion hearing held today also, the representative of the petitioner has again requested for postponement of hearing due to the same reason as mentioned earlier. The Commission has observed that the petition was filed on 22.07.2017 and the petitioner has not appeared in last two motion hearings for admission of the subject petition and seeking postponement by one month. The Commission is not inclined to keep the subject petition pending for admission for

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such a long time. The petitioner is directed to approach the Commission with a fresh petition as and when the petitioner is in a position to attend the hearing. However, the fees deposited in the subject petition shall be adjusted on filing the fresh petition.

With the aforesaid observations, the subject petition is disposed of.

(A. B. Bajpai)
Member

(Dr. Dev Raj Birdi)
Chairman