

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
Tel. 022 22163964/65/69 Fax 22163976
Email: mercindia@merc.gov.in
Website: www.merc.gov.in

Date: 18 July 2023

CORAM: Sanjay Kumar, Chairperson
Anand M. Limaye, Member
Surendra J. Biyani, Member

Case No. 66 of 2023

Petition of M/s. TP Saurya Limited seeking a declaration that Power Purchase Agreement (PPA) dated 14.01.2022 executed with MSPGCL stands frustrated by efflux of time on account of the various material/fundamental breach(s) committed by MSPGCL.

I.A. No. 32 of 2023 in Case No. 66 of 2023

Application under Section 94(2) of the Electricity Act, 2003 read with Regulation 33 of the MERC Regulations, 2022 seeking interim relief(s)/directions on behalf of TP Saurya Limited.

M/s. TP Saurya Limited (TPSL) . : Petitioner

Maharashtra State Power Generation Company Limited (MSPGCL) } : Respondents

Maharashtra State Electricity Distribution Co. Ltd (MSEDCL) }

Appearance:

For the Petitioner : Mr. Venkatesh (Adv.)

For the Respondents : Mr. Prasanna Kotecha (Rep)

Mr. Sanjay Kurhade (Rep)

Mr. Anup Jain (Adv.)

Daily Order

1. IA No. 32 of 2023 was filed by the Petitioner for interim relief in this matter. Accordingly, the Commission heard the Advocates of the Petitioner and Representatives of Respondents today.
2. The Advocate of the Petitioner stated that it has received reply of MSPGCL only yesterday i.e. 17 July 2023 and hence requested 7 days time to file their Rejoinder. Further, he requested the Commission to direct MSPGCL to not take any coercive action against them in terms of encashment of Performance Bank Guarantee.
3. Consenting to the request of the Petitioner, the Representative of MSPGCL stated that it will not take any coercive action against the Petitioner.
4. In view of above, the Commission allows 7 days' time to the Petitioner for filing Rejoinder. The Commission further directs that till disposal of this matter; no coercive action be taken against the Petitioner. At the same time, the Petitioner shall also ensure that its Performance Bank Guarantee remain valid till disposal of this matter.
5. **Post receipt of submission, the next date of hearing will be intimated by the Secretariat of the Commission.**
6. **With above, IA No. 32 of 2023 for interim relief stands disposed of.**

Sd/-
(Surendra J. Biyani)
Member

Sd/-
(Anand M. Limaye)
Member

Sd/-
(Sanjay Kumar)
Chairperson