

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Date: 16 November 2021

**CORAM: Sanjay Kumar, Chairperson
I. M. Bohari, Member
Mukesh Khullar, Member**

Miscellaneous Application Dairy No.139 of 2021 in Case No.226 of 2020

Application Lloyds Metals & Energy Ltd. for amendment of petition in Petition inter alia under section 86 (1) (f) of the Electricity Act, 2003 read with other applicable provisions of law, seeking adjudication of a dispute arising from a Power Purchase Agreement.

M/s Lloyds Metals & Energy Ltd. (LMEL) : Applicant
M/s Kreate Energy (I) Pvt. Ltd. (KEPL) : Respondent No.1
M/s The Tata Power Co. Ltd (Distribution) (TPC-D) : Respondent No.2

Case No. 226 of 2020

Petition of Lloyds Metals & Energy Ltd. against Kreate Energy (I) Pvt. Ltd. Seeking adjudication of a dispute arising from a Power Purchase Agreement

M/s Lloyds Metals & Energy Ltd. (LMEL) : Petitioner
M/s Kreate Energy (I) Pvt. Ltd. (KEPL) : Respondent No.1
M/s The Tata Power Co. Ltd (Distribution) (TPC-D) : Respondent No.2

Case No. 136 of 2021

Petition of Kreate Energy (I) Pvt. Ltd. inter alia under section 86(1)(f) of the Electricity Act, 2003 read with other applicable provisions of Law, seeking adjudication of a dispute arising from a Power Purchase Agreement.

M/s Kreate Energy (I) Pvt. Ltd. (KEPL) : Petitioner
M/s Lloyds Metals & Energy Ltd. (LMEL) : Respondent No.1
M/s The Tata Power Co. Ltd (Distribution) (TPC-D) : Respondent No.2

Appearance:

For the LMEL : Shri. Abhishek Khare (Adv.)
For the KEPL : Shri. Adarsh Tripathi (Adv)
For the TPC-D : Shri. Venkatesh (Adv)

Daily Order

Heard the advocates of the Petitioners and Respondents.

Advocate of LMEL submitted that subsequent to hearing on 28 September 2021, it has filed an application seeking permission of the Commission to allow amendment in Original Petition in Case No.226 of 2020. In amended Petition it has categorically mentioned TPC-D as a Respondent.

Advocate of TPC-D submitted that it has received the copy of Miscellaneous Application Yesterday i.e. 15 November 2021. Therefore, he sought time of two (2) weeks for filing their reply on the Miscellaneous Application, and accordingly requested for adjournment of hearing.

Advocate of KEPL mentioned that it has received replies to its Petition in Case No.136 of 2021 from TPC-D and LMEL to which it intends to file Rejoinder. Further, he also sought time for filing reply to the Miscellaneous Application, citing receipt of copy of Miscellaneous Application yesterday i.e 15 November 2021.

Considering above requests, the Commission grants liberty to TPC-D and KEPL to file their responses on an application for amendment of the Petition within two (2) weeks with copy served other parties. LMEL may file its Responses within a week thereafter. Further, KEPL shall file its Rejoinder in Case No.136 of 2021 within one (1) week.

Subsequently on receipt of the above submissions, next date of hearing will be intimated by the Secretariat of the Commission.

Sd/-
(Mukesh Khullar)
Member

Sd/-
(I. M. Bohari)
Member

Sd/-
(Sanjay Kumar)
Chairman