

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 1877 of 2020.

In the Matter of:

Petition under Section 86 of the Electricity Act, 2003 for recovery of termination compensation under the Power Purchase Agreement (PPA) dated 09.03.2010 and Supplemental PPA dated 12.07.2020.

Petitioner : Gujarat Urja Vikas Nigam Limited,

Represented By : Ld. Advocates Ms. Swapna Seshadri and Ms. Harsha Manav alongwith Ms. Sailaja Vachhrajani, Ms. Girija Dave and Mr. Kandarp Mistry

V/s.

Respondent : M/s Ugam Impex Limited

Represented By : Ld. Advocate Mr. Harshit Shah

CORAM:

Mehul M. Gandhi, Member

S. R. Pandey, Member

Date: 24/02/2022.

DAILY ORDER

1. The present matter was listed for hearing on 22.02.2022 through V.C.
2. At the outset, Ld. Adv. Ms. Swapna Shesdari, appearing on behalf of the Petitioner, submitted that copy of affidavit by the Respondent for cross examination of witness is received by the Petitioner from staff of the Commission but copy of same from the Respondent is neither received through email nor hard copy is served by the Respondent despite directions of this Commission. It is further submitted that the Petitioner needs to file its response and submissions on same because issue of cross examination sought by the Respondent is matter of serious concern involving legal aspects and the Commission may grant two weeks' time to the Petitioner for filing the same by adjourning the matter.

3. Ld. Adv. Mr. Harshit Shah, appearing on behalf of the Respondent, submitted that there is no objection to the adjournment sought by the Petitioner. Moreover, the Respondent has already provided affidavit for cross examination to the Petitioner through email. He also submitted that there is discussion going on between the parties for some amicable settlement in the subject matter. It is further requested that the matter may be posted for hearing in second half of March 2022 subject to convenience of the Commission.
4. Having considered the request of the Counsel of the Petitioner to adjourn the matter to enable filing submissions in response / reply to affidavit of the Respondent seeking cross examination of witness and the Respondent having no objection to the same, the matter is adjourned. Accordingly, the Petitioner may file its reply on affidavit, within two weeks' time from date of this Order with copy to the Respondent. The Respondent is also at liberty to file rejoinder-reply, if any, thereafter. Moreover, the Respondent is also directed to serve hard copy of affidavit for cross examination of witness to the Petitioner since the same is not received by the Petitioner from the Respondent.
5. Matter is adjourned for hearing to 21.03.2022 at 11:30 A.M. through V.C. Staff of the Commission is directed to provide necessary link to parties in this matter.
6. We order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 24/02/2022.