

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.305/MP/2022**

- Subject : Petition under Section 79, including Section 79(1)(b) and Section 79(1)(f) of the Electricity Act, 2003 seeking setting aside of the notices dated 4.10.2022 and 19.10.2022 issued by Respondent No. 1/Haryana Power Purchase Centre purportedly to terminate the Power Purchase Agreement dated 18.5.2022 executed between the Petitioner and the Respondent No. 1, being unlawful and inconsistent with Article 19 (2) and Article 19 (1) of the PPA.
- Date of Hearing : 15.12.2022
- Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioners : RKM Powergen Private Limited (RKMPPL)
- Respondents : Haryana Power Purchase Centre (HPPC) and 3 Ors.
- Parties Present : Shri Biju Mattam, Advocate, RKMPPL  
Shri Harshit Singh, Advocate, RKMPPL  
Ms. Lavanya Panwar, Advocate, RKMPPL  
Shri Lakshyajit Singh Bagdwal, Advocate, RKMPPL  
Shri M. G. Ramachandran, Sr. Advocate, HPPC  
Ms. Poorva Saigal, Advocate, HPPC  
Ms. Shikha Sood, Advocate, HPPC

**Record of Proceedings**

At the outset, learned senior counsel for the Respondent No.1, HPPC submitted that the Petitioner has filed a detailed rejoinder yesterday and the Respondent may also be permitted to file a short affidavit in the matter. Learned senior counsel further submitted that pleadings are already completed and the Respondent has raised the issues on the maintainability as well as on merits of the case.

2. Learned counsel for the Petitioner sought liberty to file its response, if any, to the additional affidavit of the Respondent No.1. Learned counsel for the petitioner prayed that the interim protection granted vide Record of Proceedings for the hearing dated 27.10.2022 be continued till the next date of hearing and it was not opposed by respondent.

3. After hearing, the learned senior counsel for the Respondent No.1 and the learned counsel for the Petitioner, the Commission permitted the Respondent No.1 to file its additional affidavit within three weeks with copy to the Petitioner, who may file its response thereon, if any, within two weeks thereafter.

4. The Commission further admitted the matter, with a liberty for both sides to argue on maintainability as well as on merits of the case. The Commission also

directed that the interim protection granted vide Record of Proceedings for hearing dated 27.10.2022 shall continue till the next date of hearing.

5. The Petition shall be listed for hearing on 23.2.2023.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Joint Chief (Law)**