

**BEFORE GUJARAT ELECTRICITY REGULATORY COMMISSION  
AT GANDHINAGAR**

**Petition No.1389/2014**

**And**

**I. A. No. 01 of 2014**

In the Matter of:

Petition under Section 86 (1)(a)(b), (f) and (k) of the Electricity Act, 2003 read with Article 12,13 and 17 of the Power Purchase Agreement dated 26.2.2007 between Essar Power Limited and Gujarat Urja Vikas Nigam Limited.

Petitioners : 1) Essar Power Gujarat Limited,  
5<sup>th</sup> Floor, Tower -2,  
Equinox Business Park, (Peninsula Techno Park),  
Off. Bandra Kurla Complex, LBS Marg,  
Mumbai – 400070.

2) Essar Power Limited,  
5<sup>th</sup> Floor, Tower -2,  
Equinox Business Park, (Peninsula Techno Park),  
Off. Bandra Kurla Complex, LBS Marg,  
Mumbai – 400070.

Represented By : Learned Advocate Shri Hard Soni

V/s.

Respondent No 1: Gujarat Urja Vikas Nigam Limited,  
Sardar Patel Vidyut Bhavan, Race Course Circle,  
Vadodara-390007.

Represented By : Learned Advocate Ms. Ranjitha Ramachandran with Shri  
K.N. Chudasama

Respondent No. 2: Consumer Education and Research Society (CERS),  
Suraksha Sankool, Sarkhej- Gandhinagar Highway,  
Thaltej, Ahmedabad-380054, Gujarat.

Represented By: Nobody was present.

Respondent No. 3: Utility Users' Welfare Association,  
Laxmi Ginning Compound,  
Opp. Union Co-Op. Bank Limited,  
Naroda, Ahmedabad – 382330.

Represented By: Shri Bharatkumar Gohil

Respondent No. 4: Laghu Udyog Bharti, Gujarat,  
307, Ashram Road, Behind Kocharab Ashram,  
Ashram Road, Ahmedabad.

Represented By: Shri S.S. Bohra

Respondent No. 5: Shri Pravinbhai Hamirbhai Madam,  
Rameshwar Nagar, Near Rameshwar Mandir,  
Jamnagar.

Represented By: Nobody was present.

Respondent No. 6: Shri Amarsinh Chavda,  
127, Heritage Bungalows,  
Opp. Science City,  
Ahmedabad – 380060.

Represented By: Nobody was present.

Respondent No. 7: Shri Kanubhai Patel.  
Gujarat Krushi Vij Grahak Suraksha Sangh,  
Balram Bhavan, Opp. Gate No. 2,  
Ganj Bajar, Visnagar – 384315.  
District: Mehsana, Gujarat.

Represented By: Nobody was present.

Respondent No. 8: Shri Bipinbhai Patel,

Makarpura GIDC Industrial Estate Infrastructure &  
Charitable Association  
GIDC, Makarpura, Vadodara.

Represented By: Nobody was present.

**CORAM:**

**Shri Anand Kumar, Chairman**  
**Shri K. M. Shringarpure, Member**  
**Shri P. J. Thakkar, Member**

**Date: 23/05/2019.**

**Daily Order**

- 1) The matter was kept for hearing on 18.05.2019.
- 2) Learned Advocate Shri Hard Soni, on behalf of the Petitioners, submitted that a letter dated 14.05.2019 is circulated seeking adjournment as several events occurred after the judgement of the Hon'ble Supreme Court. He submitted that Government of Gujarat constituted a High-Powered Committee (HPC) to review the report of working group and obtain its recommendations with regard to resolution of the issues of the imported coal based power projects located in Gujarat. These facts have a direct bearing on the grounds of the petition filed by the Petitioner and the Petitioner is required to incorporate the aforesaid facts and grounds in the present petition and needs time to suitably amend the petition. He requested the Commission to adjourn the matter. to suitably amend the petition. He requested the Commission to adjourn the matter.
- 3) Learned Advocate Ms. Ranjitha Ramachandran, on behalf of GUVNL, submitted that the Respondent has received a copy of the said letter seeking adjournment from the Petitioners. She has objected to the adjournment sought by the Petitioners.

- 4) On a query from the Commission as to how many times the Petitioners sought the adjournment in the present petition, learned advocate Shri Hard Soni submitted that the Commission may give last opportunity to the Petitioners.
- 5) Nobody was present on behalf of the Respondents No. 2, 5, 6, 7 and 8.
- 6) The Commission takes serious view of the frequent adjournments sought by the Petitioners more particularly when the matter is listed for hearing on working Saturday as requested by the Petitioner and recorded in the Daily Order dated 22.10.2018. We note that the Petitioners have sought the adjournment on one or the other grounds since the inception of petition and prolonged the matter. The Petitioners do not seem to be serious about their petition. However, considering their request, we decide to grant them a last opportunity and adjourn the matter with a clear direction that on the next date of hearing, the matter shall be proceeded. In case of absence of any of the party, the matter will be decided based on the documents on record.
- 7) The next date of hearing will be intimated separately.
- 8) We order accordingly.

**Sd/-**  
**[P. J. THAKKAR]**  
**Member**

**Sd/-**  
**[K. M. SHRINGARPURE]**  
**Member**

**Sd/-**  
**[ANAND KUMAR]**  
**Chairman**

Place: Gandhinagar.  
Date: 23/05/2019.