

**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,
5th Floor, Tower -2,
Equinox Business Park, (Peninsula Techno Park),
Off. Bandra Kurla Complex, LBS Marg,
Mumbai – 400070.

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

Represented By : Learned Advocate Shri Shiraj Khambete

V/s.

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

Represented By : Learned Advocate Shri M.G. Ramachandran with Shri
V.L. Lathia and 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: Nobody was present.

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

Represented By: Nobody was present.

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: 22/10/2018.

Daily Order

- 1) The matter was kept for hearing on 20.10.2018.
- 2) Shri Shiraj Khambete, on behalf of the Petitioners, submitted that a letter dated 17.10.2018 is circulated seeking adjournment due to non-availability of arguing senior counsel appearing for the Petitioners. He requested the Commission to adjourn the matter and list it on any working Saturday.
- 3) Learned Advocate Shri M.G. Ramachandran, on behalf of GUVNL, confirmed that the Respondent has received a copy of the said letter seeking adjournment from the Petitioners. He submitted that he has no objection to the adjournment sought by the Petitioners. He further submitted that in view of the Hon'ble Supreme Court's Judgement, the present petition has become infructuous.
- 4) On a query from the Commission as to whether the Petitioners want to withdraw the present petition in light of the Hon'ble Supreme Court's judgment, learned advocate Shri Shiraj Khambete submitted that he has no instructions either from his clients or from the senior counsel in this regard. However, he will get the instructions from the Senior Counsel for the Petitioners and intimate the same to the Commission.

- 5) Nobody was present on behalf of the Respondents No. 2, 3, 4, 5, 6, 7 and 8.
- 6) Considering the request of the Petitioners to adjourn the matter and the Respondent GUVNL having no objection to the same, we decide to adjourn the matter.
- 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: 22/10/2018.