

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 972 of 2009.

In the Matter of:

Petition for adjudication of the dispute that have arisen between the petitioner and the respondents on the interpretation and the implementation of the Power Purchase Agreement dated 30th May 1996.

Petitioner : Gujarat Urja Vikas Nigam Limited

Represented By : Ld. Adv. Mr. Utkarsh Singh with Mr. Hitesh Patel

V/s.

Respondent : Essar Power Limited

Represented By : Ld. Advocates Mr. Nisarg Desai, Mr. Gaurav Ray and
Ms. Ritu Aggarwal

CORAM:

Mehul M. Gandhi, Member

S. R. Pandey, Member

Date: 02/08/2025.

DAILY ORDER

1. The present matter was listed for hearing on 29.07.2025 in terms of the directions of the Hon'ble APTEL and compliance thereof to the judgement dated 21.03.2025 in Appeal No. 138 of 2021 & Appeal No. 201 of 2023 & IAs No. 1630 of 2024 and 1693 of 2023 by issuing hearing

notice to the Petitioner and the Respondent on 25.07.2025 as well by Office of the Commission.

2. At the outset, Ld. Adv. Mr. Utkarsh Singh, appearing on behalf of the Petitioner GUVNL, submitted that the Petitioner has received copy of reply from the Respondent EPL yesterday. He further requested that the Commission while granting adjournment may grant four weeks' time to the Petitioner to file rejoinder reply in the matter.
3. Ld. Adv. Mr. Gaurav Ray, appearing on behalf of the Respondent EPL, while objecting the adjournment sought by the Petitioner, submitted that the Commission may keep the hearing on any shorter date subject to its convenience.
4. We note that the Hon'ble APTEL has passed the Judgement dated 21.03.2025 in Appeal No. 138 of 2021 & Appeal No. 201 of 2023 & IAs No. 1630 of 2024 and 1693 of 2023 wherein the Hon'ble APTEL has remanded the matter back to the State Commission for fresh consideration on the issues discussed therein, including the computation of energy diversion based on half hourly data, the quantification of actual amount already deducted by GUVNL, and the deemed generation incentive to be refunded after giving reasonable opportunity of being heard to both the GUVNL and Essar Power and to , pass order afresh in accordance with law and in terms of the directions issued in its said judgement.
5. We note the statement of the Ld. counsel for the Petitioner GUVNL that GUVNL has received copy of reply from the Respondent EPL yesterday and has sought four weeks' time for filing the same. Accordingly, let the rejoinder reply, if any, be filed by the Petitioner, within two weeks' time

from the date of this Order with a copy to the Respondent. As the Petitioner sought adjournment in the matter and although there is objection to the same by the Respondent, the matter stands adjourned in the interest of justice.

6. Next date of hearing will be intimated separately.

7. Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 02/08/2025.

