

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 972 of 2009

In the Matter of:

Petition for adjudication of disputes between the petitioner and the respondents on the interpretation and implementation of the Power Purchase Agreement dated 30th May, 1996.

Petitioner : Gujarat Urja Vikas Nigam Limited
Sardar Patel Vidyut Bhavan,
Race Course Circle, Vadodara - 390007.

Represented by : Ms. Sailaja Vachhrajani and Shri S.S. Mistry

V/s.

Respondent : Essar Power Limited
Essar House, Mahalaxmi Road, Mumbai- 400034.

Represented by : Advocate Shri Shriraj Khambete

CORAM:

Shri Anand Kumar, Chairman

Shri K. M. Shringarpure, Member

Shri P. J. Thakkar, Member

Date: 2/06/2018.

DAILY ORDER

1. The matter was kept for hearing on 31.5.2018.
2. Advocate Shri Shriraj Khambete, on behalf of the Respondent, submitted that the Senior Counsel of the Respondent could not remain present since there being vacation in the Gujarat High Court, he is travelling and requested the Commission to grant one last accommodation in the matter.

3. Ms. Sailaja Vachhrajani, on behalf of the Petitioner, submitted that the Petitioner has filed the calculations on 8.3.2018 as per the directive of the Commission and also provided a copy thereof to the Respondent on 9.3.2018. She further stated that the Petitioner has not received any submissions from the Respondent on these calculations. Further, all the issues in the matter have already been argued before the Commission during the previous hearings and the Commission had directed the parties to file their submissions, if any. Hence, further hearing in the matter may not be required.
4. We have considered the submissions made by the parties. The Petitioner has submitted that the matter has already been argued at length by the parties and no further hearing may be required whereas the Respondent pleaded for last opportunity and requested for short adjournment. Considering this, we are inclined to grant the last opportunity to the Respondent and post the matter on 8.6.2018. Needless to say the matter will not be adjourned on that day in the absence of any party/representatives and that the matter will be decided on the documents available on record. Moreover, we also note that the Respondent has not filed its reply/submissions to the Petitioner's above referred submission within the time frame specified in the Daily Order dated 29.1.2018. Hence, the Respondent is directed to file its reply/submission, if any, on or before 5.6.2018 with a copy to the Petitioner. Any submission beyond this date by the Respondent shall not be entertained and the matter shall be decided based on the available record.
5. We order accordingly.
6. The next hearing will be on 8.6.2018 at 11: 30 A.M.

Sd/-
[P. J. THAKKAR]
Member

Sd/-
[K. M. SHRINGARPURE]
Member

Sd/-
[ANAND KUMAR]
Chairman

Place: Gandhinagar.

Date: 2/06/2018.