

Record of proceedings dated 04.04.2024

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No.32 of 2015 & I. A. No. 5 of 2015	M/s. Tata Power Trading Company Ltd.	TSDISCOMs, APSPDCL, APEPDCL & APPCC

Petition filed questioning the illegal, unilateral and wrongful deduction of Rs. 9,72,00,000/- and Rs. 96,48,000/- towards illegal compensation claim for supply of short-term power.

I. A. filed for release of Rs. 9,72,00,000/- and Rs. 96,48,000/- in lieu of bank guarantee for corresponding amounts.

Sri. M. Ramakanth, Advocate for the petitioner and Sri. D. N. Sarma, OSD (Comml.) / TSPCC along with Sri. Mohammad Bande Ali, Law Attaché for respondents are present. The counsel for petitioner stated that the matter was originally filed in the combined APERC. In the judgment rendered by the Hon'ble High Court in the year 2018, it was observed that the matters where two states are involved, have to be referred to CERC according to the submissions of the counsel for petitioner, who filed the relevant judgment of the Hon'ble High Court. The representative of the respondents stated that the matter was originally filed in the combined APERC vide O. P. No. 16 of 2010 and upon bifurcation the Commission had renumbered it as O. P. No. 32 of 2015. Proceedings are pending before both the Commissions and it would be difficult to contest partly here and there. Therefore, the matter may be referred to CERC. In fact, this Commission had already referred such matters to the CERC.

The Commission has considered the submissions of the parties and accordingly decided to refer the matter to CERC. Office is directed to take necessary steps in the matter.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No.72 of 2022	M/s. Sunshakti Solar Power Projects Pvt. Ltd.	TSNPDCL & its officer

Petition filed seeking extension of SCOD and consequential relief.

Ms. P. Meghana Sarma, Advocate for petitioner and Sri. Mohammad Bande Ali, Law Attaché for respondents are present. The counsel for petitioner stated that similar matter pending before the Hon'ble ATE is yet to be decided. Therefore, long date may be given for hearing. The Commission pointed out that since similar matter is pending before the Hon'ble ATE, it is appropriate to postpone the hearing without any date. The petitioner can seek hearing of the matter as and when the appeal is disposed of by filing a memo. The representative of the respondents stated that the matter be disposed of. However, the Commission felt it appropriate to adjourn the matter without any date.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 74 of 2022	M/s. Dinkar Technologies Private Limited	TSSPDCL

Petition filed Seeking extension of SCOD and consequential reliefs.

Ms. P. Meghana Sarma, Advocate for petitioner and Sri. Mohammad Bande Ali, Law Attaché for respondent are present. The counsel for petitioner stated that similar matter pending before the Hon'ble ATE is yet to be decided. Therefore, long date may be given for hearing. The Commission pointed out that since similar matter is pending before the Hon'ble ATE, it is appropriate to postpone the hearing without any date. The petitioner can seek hearing of the matter as and when the appeal is disposed of by filing a memo. The representative of the respondents stated that the matter be disposed of. However, the Commission felt it appropriate to adjourn the matter without any date.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 35 of 2023 & I. A. No. 8 of 2023 & I. A. No. 9 of 2023	M/s. Kakatiya Cement Sugar & Industries Ltd.	TSNPDCL & TSTRANSCO

Petition filed questioning the recovery of grid support charges and other reliefs.

I. A. filed seeking interim direction to the respondent not to take any coercive steps against the petitioner in pursuance to the notice dt. 11.02.2021 including recovery of

the grid support charges for FY 2002-03 to FY 2008-09 along with interest from the power purchase bills due and payable by R-2 to the petitioner.

I. A. filed seeking interim direction to the respondent not to insist upon payment of the grid support charges for the period FY 2002-03 to FY 2008-09 along with interest as demanded vide notice dt.07.01.2021 issued by R-1 and consequently not to reflect the demanded amount as arrears in relation to the petitioner.

Ms. Achala Siri, Counsel for petitioner along with Sri. Kaushik Soni, Advocate and Sri. Mohammad Bande Ali, Law Attaché for respondents are present. The counsel for petitioner stated that the counter affidavits on behalf of the respondents are yet to be filed. A copy of the counter affidavit is made available by the officers of the respondent No. 1 / DISCOM. The Commission pointed out that the counter affidavit on behalf of the DISCOM had already been filed and sought to know as to the counter affidavit on behalf of the TSTRANSCO is yet to be filed. The representative of the DISCOM stated that he needs time to seek instructions from the TSTRANSCO. However, the Commission noticing that the representative of TSPCC-cum-TRANSCO was present in the Court required him to appraise the status of the matter to TSTRANSCO. The Commission directed that the counter affidavit be filed on or before 06.05.2024 and rejoinder if any thereof by that date. The matter will be taken up for hearing. The matter is adjourned.

Call on 06.05.2024 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 36 of 2023 & I. A. No. 10 of 2023 & I. A. No. 11 of 2023	M/s. Kakatiya Cement Sugar & Industries Ltd.	TSSPDCL

Questioning the recovery of wheeling charges and consequential reliefs

I. A. filed seeking interim direction to the respondent not to take any coercive steps against the petitioner including disconnection of HT service connection No. SPT 427 belong to the petitioner in pursuance to the notice dt. 07.07.2023 issued by the respondent pending disposal of the main O. P.

I. A. filed seeking interim direction to the respondent not to insist upon payment of balance differential wheeling charges as demanded against the petitioner vide notice

dt. 07.07.2023 issued by the respondent and consequently not to reflect the demanded amount as arrears in relation to the petitioner pending disposal of the main O. P.

Ms. Achala Siri, Counsel for petitioner along with Sri. Kaushik Soni, Advocate and Sri. Mohammad Bande Ali, Law Attaché for respondent are present. The counsel for petitioner stated that the counter affidavit on behalf of the respondent has been filed. She needs time for filing rejoinder in the matter. The Commission directed that the rejoinder if any be filed on or before 06.05.2024. The matter will be taken up for hearing. The matter is adjourned.

Call on 06.05.2024 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 3 of 2024 & I. A. No. 1 of 2024 & I. A. No. 2 of 2024	M/s. Hyderabad MSW Energy Solutions Private Limited	TSSPDCL & TSTRANSCO

Petition filed seeking directions to the respondents for payment of outstanding bills along with interest towards sale of energy in terms of PPA and other reliefs.

I. A. filed exparte ad interim order directing the respondent No. 1 to make an upfront payment of 50% of the amount outstanding to the tune of INR 26,20,03,853/- as on 08.12.2023.

I. A. filed seeking listing of the petition filed by the applicant at the earliest possible on an urgent basis.

Sri. Shashwat Dubey, Counsel for petitioner and Sri. Mohammad Bande Ali, Law Attaché for respondents are present. The counsel for petitioner stated that the counter affidavit is yet to be filed in the matter. The representative of the respondents sought time for filing counter affidavit in the matter, stating that the matter is coming for the first time. The Commission noticed that an interlocutory application for listing the matter expeditiously is filed. However, the purpose has already worked out itself in view of the posting of the matter today. Accordingly, the said interlocutory application stands closed.

In the main matter along with the interlocutory application for interim prayer, the respondents shall file the counter affidavit on or before 06.05.2024. Accordingly, the matter is adjourned.

Call on 06.05.2024 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman