

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SCO NO. 220-221, SECTOR 34 A, CHANDIGARH
email address: registrarpsercchd@gmail.com

Petition No. 15 of 2016
& I.A. No.05A of 2017
Date of Hearing: 09.05.2017

Present: **Shri D.S. Bains, Chairman**
Shri S.S. Sarna, Member

Subject matter: Petition for directing PSPCL and PSTCL to make the bay ready for synchronization and restraining PEDDA from forfeiture of Performance Bank Guarantee in terms of the PPA and Implementation Agreement and extension of the date of commissioning of petitioner's project till bay is ready for synchronization.

In the matter of: Radiant Solar Energies Private Limited, Kotkapura

----Petitioner

Versus

1. Punjab Energy Development Agency (PEDDA)
2. Punjab State Power Corporation Limited (PSPCL)
3. Punjab State Transmission Corporation Limited (PSTCL)

----Respondents

For Petitioner: Shri Saurabh Singla, Director
Shri Tajender Kumar Joshi, Advocate

For PSPCL: Shri Mayank Sharma, Advocate
Shri Ashok Kumar Goyal, Addl.SE/TR-5
Shri A.K.Sharma, SE/TR-2
Shri Mohinder Singh, Sr.Xen/IPC

For PEDDA : Shri Aditya Grover, Advocate
Shri M.P.Singh, DGM
Shri R.K.Gupta, Sr.Manager
Shri Lovkesh Khanna, P.A.

For PSTCL: None

ORDER

The matter was taken up for hearing. Shri M.P.Singh, DGM, Punjab Energy Development Agency was also present. To rebut the case law relied upon by the Applicant-PEDA, the Learned Counsel for the petitioner Shri Tejinder Kumar Joshi, in support of his contentions, has submitted copies of judgments titled and reported as R. Balakrishna Pillai Vs. State of Kerala, (2000) 7 Supreme Court Cases 129, Reference No.1 of 2003 decided on November 10, 2008, reported in (2009) 1 Supreme Court Cases 337, Abhraham Kuruvila Vs. S.C.T. Institute of Medical Sciences & Technology and others reported in (2005) 9 Supreme Court Cases 49, Keshab Roy Vs. The State of West Bengal, reported in (1973) 3 Supreme Court Cases 216, Hyderabad Vanaspathi Ltd. Vs. A.P. State Electricity Board and others, reported in (1998) 4 Supreme Court Cases 470 and a judgment of the Punjab & Haryana High Court reported in the Times of India on 10.02.2017. Since the arguments on the I.A. were completed on 25.04.2017, except for the judgment of the Hon'ble Apex Court submitted by the applicant, detailed arguments were held on the merits of issue involved in all the above cited judgments on 09.05.2017. The order on the I.A. is reserved.

Learned Counsel for PEDA after consultation with DGM PEDA, PSPCL as well as the Counsel for the petitioner has agreed to argue the main petition on 19.05.2017.

To come up for arguments on the main petition on 19.05.2017 at 11.30 A.M.

Sd/-

(S.S. Sarna)
Member

Sd/-

(D.S. Bains)
Chairman

Chandigarh
Dated: 11.05.2017