



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

124

CWP-20731-2024 (O&M)

Date of decision: 27.08.2024

Haryana Power Purchase Centre and others

...Petitioners

VERSUS

PTC India Limited and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Puneet Bali, Sr. Advocate with
Mr. Samir Malik, Advocate;
Mr. Tushar Mathur, Advocate;
Mr. Vibhav Jain, Advocate;
Mr. Gagan Singh, Advocate for the petitioners.

Mr. Gurminder Singh, Sr. Advocate with
Mr. Sakya Singha Chaudhary, Advocate;
Mr. Samir Rathaur, Advocate; and
Ms. Shriya Gambhir, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present petition is to the order dated 22.11.2022 passed by respondent No.4-Central Electricity Regulatory Commission, in petition No.110/MP/2019 to the extent it directs the petitioners to continue to schedule power to the extent of 200 MW.

Learned senior counsel appearing on behalf of the petitioners contends that certain fundamental aspects have not been noticed by the Central Electricity Regulatory Commission while passing the order and that as per Section 94 of the Electricity Act, 2003, learned senior counsel for the petitioners seeks withdrawal of the present writ petition so as to file an appropriate application/petition before the Central Electricity Regulatory Commission or any other Forum, as may be so advised. He contends that he would be satisfied at this juncture in case, the Central Electricity Regulatory



Commission, if so approached, may adjudicate upon the Review Petition expeditiously.

Learned senior counsel appearing on behalf of respondent No.2 submits that he would have various objections with respect to the maintainability of the Review Petition itself and that all his objections may be kept open in the event of the petitioner taking recourse to all such alternative remedies.

The above said contention of the learned senior counsel for respondent No.2 is not opposed by the learned senior counsel for the petitioners.

In view of the above, the present writ petition is accordingly **disposed of** at this juncture without commenting on the merits of the case with liberty to the petitioners to take recourse to the appropriate remedies, as available in accordance with law and if so advised and subject to respondent No.2 having the right to take all objections to the nature of the proceedings initiated by the petitioners.

Needless to mention that in the event of filing of any Review Petition, the Central Electricity Regulatory Commission may take an expeditious decision on the same as well as on the objection(s) with respect to the maintainability within a period of 04 months of submission of any such Review Petition.

(VINOD S. BHARDWAJ)
JUDGE

27.08.2024

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No