

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION
BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

Case No. HERC/PRO-29 of 2019

**Date of Hearing : 25.09.2019
Date of Order : 27.09.2019**

In the Matter of

Petition under Section 62 of the Electricity Act, 2003 for approval of tariff under Power Purchase Agreement dated 10.03.2014 read with Haryana Electricity Regulatory Commission (Terms and Conditions for determination of Tariff from Renewable Energy Sources, Renewable Purchase Obligation and Renewable Energy Certificate) Regulations, 2017 and Tariff determination for supply of power by Naraingarh Sugar Mills Ltd. during-off crushing season from 25 MW co-generation power projects at village- Banodi, Tehsil- Naraingarh, District- Ambala, Haryana.

Petitioner M/s. Naraingarh Sugar Mill Ltd.

V/s

Respondent Haryana Power Purchase Centre, Panchkula (HPPC)

Present On behalf of the Petitioner Sh. Varun Pathak, Advocate

Present On behalf of the Respondent Smt. Aerika Singh, Advocate for HPPC
Sh. Irshaan Singh Kakar, Advocate for HPPC
Shri Vikas Kadiyan, XEN/HPPC
Shri Randhir Singh, AEE/HPPC

Quorum

Shri D.S. Dhesi, Shri Pravindra Singh Chauhan, Shri Naresh Sardana,	Chairman Member Member
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INTERIM ORDER

1. The case was heard by the Commission on 25.09.2019, as scheduled.
2. The Ld. Advocate, Shri Varun Pathak appearing on behalf of the Petitioner argued vehemently that the filing of appeal by HPPC before Hon'ble Appellate Tribunal for Electricity against the Order of the Commission dated 10.01.2019, does not

deter the Commission from determination of tariff, as stay against the same has not been taken to this effect.

3. HPPC submitted that in the appeal before Hon'ble Appellate Tribunal for Electricity against the Order of the Commission dated 10.01.2019 (Case No. HERC/PRO-42 of 2018), vide DFR No. 1687 of 2019, they have challenged the determination of tariff under section 62 of the Electricity Act, 2003 by the State Commission, over and above the agreed rate of APPC. Therefore, the present petition for determination of tariff filed in pursuant to the ibid Order of the Commission may be kept in abeyance till the appeal bearing DFR No. 1687 of 2019 is decided.
4. On hearing the rival contention, the Commission, in accordance with its interim order dated 18.07.2019 adjourns the case and directs the Petitioner and Respondent to approach the Commission at the appropriate time with the decision of Hon'ble Appellate Tribunal for Electricity in the matter. The Commission may, however, take up the matter earlier in case of any substantial change in the circumstances.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 27.09.2019.

Date: 27.09.2019 (Naresh Sardana) (Pravindra Singh Chauhan) (D.S. Dhesi)
Place: Panchkula Member Member Chairman