



**Petition No. 1340/2018**

**BEFORE**

**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION**

**LUCKNOW**

**Date of Order: 14.12.2021**

**PRESENT:**

Hon'ble Shri Raj Pratap Singh, Chairman

Hon'ble Shri Kaushal Kishore Sharma, Member

**IN THE MATTER OF:** Petition under section 81(1) and (b) of the Electricity Act, 2003 and Article 12 read with Article 16.3.1 of the PPA executed between the Petitioner and UPPCL dated 27.12.2013 seeking relief on account of a "Change in Law" viz. the introduction of GST laws at the central level and change in the rate of Service Tax, resulting in additional recurring expenditure in the form of an additional tax burden to be borne by the Petitioner after the Effective Date of the PPA.

1. M/s Azure Surya Pvt. Ltd.,  
Asset No. 301-4, World Mark 3, Aerocity,  
New Delhi -110037

.....Petitioner

**Versus**

2. Managing Director,  
U.P. Power Corporation Ltd.,  
Shakti Bhawan,  
14, Ashok Marg, Lucknow -226001

.....Respondent

The following were present:

1. Shri Deepak Raizada, C.E (PPA), UPPCL
2. Shri Vishal Binod, Counsel, Azure Surya.
3. Shri Divyanshu Bhatt, Counsel, UPPCL

**ORDER**

**(Date of Hearing 30.11.2021)**

1. The Commission during the last hearing held on 28.09.2021 directed the Respondent, UPPCL to file their reply. However, UPPCL has not filed its reply.



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Thus, the matter was listed for hearing today.

2. Sh. Vishal Binod, counsel of the Petitioner submitted that they have received the Respondent's reply yesterday and therefore sought 10 days to file rejoinder to the reply.
3. The Commission directs the Petitioner to clarify/confirm the address mentioned in the petition.
4. After hearing the parties, the Commission allowed two-week time to the Petitioner for filing of rejoinder with a copy to the Respondent. The Respondent is also directed to file its reply within one-week before the Commission.

List the matter for next hearing on 8<sup>th</sup> February 2022.

**(Kaushal Kishore Sharma)**  
Member

**(Raj Pratap Singh)**  
Chairman

Place: Lucknow  
Dated: 14.12.2021