

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 72/MP/2022

Coram:

**Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P.K.Singh, Member**

Date of Order: 26th August, 2022

In the matter of

Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 read with Letter of Awards dated 10.01.2020 issued by TANGEDCO for supply of power from Sembcorp Energy India Limited, for recovery of Late Payment Surcharge on delayed payments including Tax Collection at Source (TCS).

And

In the matter of

Sembcorp Energy India Limited,

5th Floor, Tower C, Building No 8,
DLF Cybercity, Gurgaon,
Haryana – 122002

..Petitioner

Vs.

Tamil Nadu Generation and Distribution Corporation Ltd. (TANGEDCO),

NPKRR Maligai, 6th Floor,
Eastern Wing, 144, Anna Salai,
Chennai-600 002, Tamil Nadu

..Respondent

Parties present:

Shri Vishrov Mukherjee, Advocate for the Petitioner
Shri Rohit Venkat, Advocate for the Petitioner
Shri Yashaswari Kant, Advocate for the Petitioner
Ms. Anamika Rana, Advocate for the Petitioner

ORDER

The Petitioner, Sembcorp Energy India Limited, has filed the present Petition along with the following prayers:

“(a) Direct TANGEDCO to pay Rs. 10,96,47,435/- towards LPS (as on 10.11.2021) for delayed payment of outstanding invoices forthwith to SEIL;

- (b) *Direct TANGEDCO to pay Rs. 2,68,160/- towards TCS;*
- (c) *As an interim measure, direct TANGEDCO to release 75% of the aforesaid outstanding amount of LPS and TCS payable to SEIL; and*
- (d) *Direct TANGEDCO to pay LPS pendente lite till actual payment on outstanding LPS and TCS amount payable to SEIL.”*

2. The matter was heard on 25.8.2022 through video conferencing. During the course of hearing, the learned counsel for the Petitioner submitted that subsequent to filing of the present Petition, the Respondent, TANGEDCO has started to make payment to the Petitioner towards late payment surcharge and tax collection at source. Accordingly, learned counsel for the Petitioner sought permission to withdraw the present Petition.

3. In view of the submission of the learned counsel, the Petitioner is permitted to withdraw this Petition.

4. Accordingly, the Petition No. 72/MP/2022 is disposed of as withdrawn.

Sd/-
(P.K.Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(I.S. Jha)
Member