



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
4th Floor, Singareni Bhavan, Red Hills, Hyderabad 500 004

TUESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND NINETEEN

:Present:

Sri Justice C.V. Nagarjuna Reddy, Chairman
Dr. P. Raghu, Member
Sri P. Rama Mohan, Member

O.P.No.59 of 2019

Between:

M/s. Azure Power Infrastructure Pvt. Ltd.,
3rd Floor Asset 301-304 and 307, Worldmark 3, Aerocity,
New Delhi – 110 037.

... Petitioner

A N D

Southern Power Distribution Company of Andhra Pradesh Limited, (APSPDCL),
D.No. 19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati – 517 503.

... Respondent

This Original Petition has come up for hearing finally on 31-12-2019 in the presence of Sri Aniket Prasoon & Priya Dhankhar, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent. After carefully considering the material available on record and after hearing the arguments of the learned counsel for both parties, the Commission passed the following:

ORDER

This Original Petition is filed under Section 86 (1) (f) read with Section 86 (1) (e) of the Electricity Act, 2003, Regulation 8 of the APERC (Conduct of Business) Regulations, 1999 as amended from time to time read with Article 11 of the Power Purchase Agreement seeking direction to the respondent for releasing payment against the outstanding invoices towards sale of solar energy along with the interest/delayed payment surcharge on such delayed payments as per the PPA.

2. The petitioner has filed a memo for withdrawal of the petition wherein inter-alia it is stated that the issue raised in this O.P is taken cognizance by a Division Bench of the Hon'ble High Court of AP in W.A.No. 440 of 2019 and therefore the petitioner may be permitted to withdraw this OP without prejudice to its right to approach this Commission. At the hearing, Sri Aniket Prasoon, learned counsel for the petitioner reiterated the contents of the memo. Hence, the OP No.59 of 2019 is dismissed as withdrawn with liberty to the petitioner in terms of the prayer made.

This order is corrected and signed on this the **31st day of December, 2019.**

Sd/-
P. Rama Mohan
Member

Sd/-
Justice C.V. Nagarjuna Reddy
Chairman

Sd/-
Dr. P. Raghu
Member