

RECORD OF PROCEEDINGS DATED 24-08-2022

I.A.No.1 of 2022 in OP No.34 of 2022

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OP No.34 of 2022

APSPDCL, APEPDCL & APCPDCL Vs. M/s Lanco Kondapalli Power Limited

Petition filed under section 86(1)(f) of the Electricity Act, 2003 seeking for the payment of an amount of Rs. 153.58 Crs by the Respondent M/s Lanco Kondapalli Power Limited

Sri P.Siva Rao, learned Standing counsel for the petitioners and Sri S.Ravi, learned Senior counsel and Sri Tarun G. Reddy, learned counsel for the respondent, are present at the hearing.

I.A.No.1of 2022

This application is filed by the petitioners in the O.P., to permit them to amend the cause-title by substituting the name of Sri Kurapaty Satyanarayana with Sri Pankaj Dhanuka, Insolvency Resolution Professional, appointed by the NCLT, as representing the respondent.

At the hearing, Sri S.Ravi, learned Senior Counsel for the respondent has not opposed the application.

The application is, accordingly, allowed. The cause-title shall be appropriately amended by the petitioners and the amended petition shall be filed within one week.

OP No.34 of 2022:

After hearing the learned counsel for both the parties, the case is adjourned for further hearing to 21-9-2022.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

IA No. 1 of 2022 in OP No. 20 of 2020
M/s. Chaitanya Projects Vs. (i) CMD / APSPDCL (ii) CGM/P&MM&IPC/ APSPDCL
(iii) Chairman / APPCC/ APTRANSCO

IA filed in OP No. 20 of 2020 under section 142 of Electricity Act, 2003 r/w clause 55 of the
APERC (Conduct of Business) Regulations, 1999 for punishment to APSPDCL for
non-compliance of the direction to pay compensation awarded in order dated 05-07-2021 passed
by the Hon'ble Commission

Heard Sri Mohd. Mukhairuddin, learned counsel for the petitioner; and Sri P.Siva Rao, learned Standing counsel for the respondents.

The learned Standing Counsel submitted that an application for hearing the Stay Petition at an early date has been filed before the APTEL and that the same is expected to come up on Friday. He requested a short time to deposit the money in order to enable them to await orders from the APTEL.

On 23-8-2022 a memo has been filed on behalf of respondent No.1 stating that with an intention to credit the monies due, in the Bank Account of the Petitioner, the respondents requested the petitioner to give its details, but they could not secure those details; and they requested this Commission to permit them to deposit the due amount of Rs.1,29,75,971/- (Rupees one crore, twenty nine lakhs, seventy five thousand, nine hundred and seventy one only) in this Commission, subject to the orders that may be passed by the APTEL.

In variation of the above contents of the memo, Sri P.Shiva Rao, learned Standing Counsel for the respondents, submitted that there is a likelihood of the Stay application being heard very shortly; and instead of depositing the money with this Commission, the respondents may be permitted to pay the aforementioned amount within one week direct to the petitioner as the respondents are awaiting the orders that may be passed by the APTEL in the meantime.

In the light of the above submission, respondent No.1 is permitted to pay the amount of Rs.1,29,75,971/- (Rupees one crore, twenty nine lakhs, seventy five thousand, nine hundred and seventy one only) to the petitioner within one week from today, subject to the orders that may be passed by the APTEL meanwhile, failing which, the CMD of respondent No.1 shall be personally present on the next date of hearing.

Call on 21-9-2022.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 41 of 2021

M/s. Lanco Kondapalli Power Limited Vs. APSPDCL, APEPDCL, APCPDCL and APPCC

Payment of differential bills amount for the energy supplied by M/s. Lanco Kondapalli Power Limited to SPDCL of AP and EPDCL of AP Ltd

Sri S.Ravi, learned Senior Counsel for the petitioner; and Sri P.Siva Rao, learned Standing counsel for the respondents, are present at the hearing.

After hearing the learned counsel for both the parties, the case is adjourned for further hearing to 21-9-2022.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 76 of 2021 RoP

Spectrum Power Generation Ltd Vs. APSPDCL & APEPDCL

Petition u/s 86 (1) (f) of the Electricity Act, 2003 r/w Clause (55) of APERC (Conduct of Business) Regulations seeking recovery of withheld balance Fixed Cost amount of Rs. 16.04 crores out of Rs. 37.92 crores payable to M/s. SPGL for the Tariff Year 2018-19 and recovery of withheld amount of Rs.2.42 crores and Rs. 1.78 crores with respect to energy bills for December 2020 and April 2020.

Sri S.Ravi, learned Senior Counsel for the petitioner; and Sri P.Siva Rao, learned Standing counsel for the respondents, are present at the hearing.

O.P. allowed, vide separate order.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR