



## ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 342/2010

Petition No.: 04/2010

### ORDER SHEET

18.11.2016

Before the Assam Electricity Regulatory Commission  
ASEB Campus, Dwarandhar,  
G. S. Road, Sixth Mile, Guwahati – 781 022

M/s Eastern India Powertech Limited (EIPL) ----- Petitioner  
Assam Power Distribution Company Ltd. (APDCL) ----- Respondent-1  
Govt. of Assam represented by the Secretary, Dept of Power ----- Respondent-2

Date of Hearing: 18.11.2016

Counsel for Petitioner:

Mr. G.N.Sahewalla, Sr. Advocate, EIPL  
Mr. D. Senapati, Advocate, EIPL  
Ms. Ankita Agarwal, Advocate, EIPL

Representative for Respondent-1:

Mr. HM Sharma, GM, APDCL  
Mr. B Hazarika, AM, APDCL  
Mr. Avijit Roy, Advocate, APDCL

Representative for Respondent-2:

Absent

#### **In the matter of**

Petition No. 4 of 2010 filed by M/s Eastern India Powertech Limited in the matter of commercial disputes and Non Payment of contractually due payments by ASEB/APDCL to EIPL

#### **CORAM**

Shri Naba Kr. Das Chairperson  
Shri Dipak Chakravarty, Member  
Shri Subhash Ch. Das, Member

#### **ORDER**

1. The Commission vide its Order dated 24.10.2016 on the Petition No 04 of 2010, allowed the prayer of Petitioner to implead the State of Assam represented by the Secretary, Dept of Power, Dispur, Guwahati-6 as Respondent-2 and the Govt. of Assam was made Respondent-2. The Commission further directed the Respondent-2 to submit their views and comments on the Petition 4 of 2010 on or before 15.11.2016.
2. During the Hearing, the Commission intimated the Petitioner and Respondent-1 that, the Respondent-2, vide letter No. PEL 86/2015/127 dated 16 November 2016 had sought 01(one) month time for submission of its views and comments.
3. Considering the fact that, the Respondent-2 is absent during the Hearing and they are required to submit its views and comments for processing of the Petition 4 of 2010, the Commission deems it fit to postpone the Hearing.
4. The Commission after hearing the parties has ordered the following:

- a. The Respondent-2 is granted time till 07.12.2016 for submission of its views and comments.
- b. The Petitioner and Respondents will make reply to the submissions of Respondent-2 in the Format prescribed vide Regulations of the Commission and will provide copies of their submissions to the opposite party.

The matter is posted for further Hearing on 13<sup>th</sup> December, 2016.

Sd/-  
(Subhash Ch.Das)  
Member  
AERC

Sd/-  
(Dipak Chakravarty)  
Member  
AERC

Sd/-  
(Naba Kumar Das)  
Chairperson  
AERC