



Petition No. 1181 of 2017

BEFORE

**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

(Date of Order: 08.06.2022)

PRESENT:

Hon'ble Shri Raj Pratap Singh, Chairman
Hon'ble Shri Kaushal Kishore Sharma, Member
Hon'ble Shri Vinod Kumar Srivastava, Member (Law)

IN THE MATTER OF Application for Interim Relief under UPERC (Conduct of
Business Regulation, 2004)

1. M/s Shaurya Powergen Private Limited
A-49, Sector-63, Noida – 201301
2. M/s Colonizers & Developers Pvt. Limited
S-14, 2nd Floor, Jai Hind Complex, Lalbagh, Lucknow

.....Petitioner

Versus

1. Uttar Pradesh Power Corporation Limited (UPPCL)
(through its Managing Director)
7th Floor, Shakti Bhawan Extnn,
14 Ashok Marg, Lucknow - 226001
2. Uttar Pradesh Power Corporation Limited (UPPCL)
(through its Chief Engineer (PPA))
7th Floor, Shakti Bhawan Extnn,
14 Ashok Marg, Lucknow - 226001
3. U.P. New and Renewal Energy Development Agency (UPNEDA)
Vibhuti Khand, Gomti Nagar, Lucknow
4. Syndicate Bank, Hazratganj Branch,
G-01, Kasmanda Apartment, 2 Park Road, Lucknow

.....Respondent



The following were present:

1. Shri. Mahendra Singh, SE, UPPCL

ORDER
(Date of Hearing - 17.05.2022)

1. Shri Shaurya Power Tech, (Pvt.) Ltd. had filed a Petition No.1181/2017 for issuing the directions to U.P. Power Corporation Ltd. to comply with all the formalities and execution of amended Power Purchase Agreement and extend the period of commissioning of the solar power plant which has been awarded to them by NEDA. They have further prayed for restoring bank guarantee which has been encashed by NEDA.
2. The Commission had earlier vide its order dated 25.3.10.2017 directed the petitioner to serve the copy of the petition to both UPNEDA and UPPCL immediately to submit their counter affidavit within 15 days of the receipt of the petition with a copy to the petitioner to file rejoinder.
3. Subsequently, during the last hearing dated 23.09.2021, the Commission observed that representative of UPPCL and UPNEDA were present but none of the representative of Petitioner was available. The Commission observed that the Petitioner vide communication dated 16.11.2021 requested the Commission for rehearing in the matter citing reasons for not appearing in the hearing dated 23.09.2021. Accordingly, the matter was listed for hearing on 17.05.2022 vide hearing notice dated 15.03.2022. The hearing notice mandated parties to provide their email ids for further communication.

The matter came up for hearing today.

4. The Commission, subsequently decided to conduct Physical hearing, the intimation of which was made electronically and was also available on website of the Commission. During the hearing, the Commission observed that despite sending the



copy of hearing notice, the representative of Petitioner has neither provided E-mail ID for further communication nor anyone was present on behalf of the Petitioner.

5. The Commission, in view of sustained absence of Petitioner over last two occasions and decided to dismiss the matter.

(Vinod Kumar Srivastava)

Member (Law)

(Kaushal Kishore Sharma)

Member

(Raj Pratap Singh)

Chairman

Place: Lucknow

Dated: 08.06.2022

