Petroleum and Natural Gas Regulatory Board

In the matter of

GAIL (India)  ..... Complainant

-Vs-

Tata Power Delhi Distribution Ltd  .... Opposite party

Under 44 of PNGRB Act

For Complainant:  Mr. Alok Shankar, Advocate

For Respondent:  Mr. Dinesh Agnani Senior Counsel with Ms. Leena Tuteja Adv.
Ms. Nikita Ved and Mr. V.N Sharma for GAIL

29.05.2014

ORDER

Heard.

Both the parties, in compliance of our order dated 22.4.2014, have discussed the matter inter-se, relating to accounts and amounts receivable / payable towards each other and submitted the requisite information as an annexure of the Affidavit of Sh. Anurag Bansal, AGM of Tata Power Delhi Distribution Ltd.

The amount payable by Tata Power is said to be Rs. 39,07,87,589/- whereas the credit note of Rs. 16.68 crores (Rs. 12.90 crores plus Rs. 3.78 crores) has been issued by GAIL as payable to Tata Power in furtherance to the tariff order passed by this Board.
Ld. Counsel for Tata Power submitted that Tata Power has always been ready and willing to raise the amount of the letter of credit after setting-off the amount of credit note from the payable amount but GAIL, without setting-off the amount of credit note intends to get the amount of LC raised.

Ld. Counsel for GAIL submitted that the tariff order, as passed by the Board has been challenged by them (GAIL) before APTEL and the adjustment of this amount will create problem in its realization, if the appeal succeeds.

Office is directed to place the entire record/evidence before the Board for deliberations and adjudication regarding complaint moved by GAIL under Section 44 of the PNGRB Act.

(S.Krishnan) (P.K.Bishnoi) (K.K.Jha) (Subhash Chandra) (Dr. B.Mohanty)
Chairperson Member(PKB) Member(KKJ) Member(Legal) Member(BM)