

**KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM**

**Present: Shri. Preman Dinaraj, Chairman
Adv. A.J Wilson, Member (Law)**

OP.No. 24/2022

- In the matter of : Condonation of delay in filing Review Petition under section 94(f) of the Electricity Act, 2003 read with Regulation 67 of KSERC (Conduct of Business) Regulations, 2003 seeking review of the Order dated 29-10-2021 in OP 33/2021 with respect to the limited ground of modifications in Clause 5.3.4 of the initialed PSA between M/s THDCIL and M/s KSEBL Kerala State Electricity Board Limited.
- Petitioner : M/s Kerala State Electricity Board Limited
- Respondent : THDCIL India Ltd

Order dated 29-04-2022

1. KSEB Ltd, on 19.04.2022, filed a petition for condoning the delay in filing of petition on seeking 'review of the Order dated 29-10-2021 in OP 33/2021 with respect to the limited ground of modifications in Clause 5.3.4 of the initialed PSA between M/s THDCIL and KSEB Ltd', with prayer as follows.

"In the above circumstances, it is most respectfully prayed before the Hon'ble Commission to kindly condone the delay in filing the Review Petition seeking review of the order dated 29-10-2021 in OP 33/2021 with respect to the limited ground of modifications in Clause 5.3.4 of the initialed PSA between M/s THDCIL and KSEB Ltd as ordered by Hon'ble Commission in the said order."
2. Summary of the petition is given below
 - (1) KSEBL has filed a petition seeking review of the Order dated 29-10-2021 in OP 33/2021 with respect to the limited ground of modifications in Clause 5.3.4 of the initialed PSA between M/s THDCIL and KSEB Ltd.
 - (2) As per the KSERC (Conduct of Business) Regulations, any person or party affected by a decision, direction or Order of the Commission may, within forty-five days from the date of making such decision, direction or Order apply for the review of the same. However, a delay has occurred for collecting the details on the financial liability to KSEB Ltd due to implementation of the Order
3. The Commission has examined the reasons submitted by KSEB Ltd for the delay in filing the review of the Order dated 29-10-2021 in OP 33/2021, and decided to

condone the delay of 171 days in filing the petition on review of the Order dated 29-10-2021 in OP 33/2021 with respect to the limited ground of modifications in Clause 5.3.4 of the initialed PSA between M/s THDCIL and KSEB Ltd.

Orders of the Commission

4. The Commission, after examining the petition on 'condoning the delay in filing of petition on seeking 'review of the Order dated 29-10-2021 in OP 33/2021 with respect to the limited ground of modifications in Clause 5.3.4 of the initialed PSA between M/s THDCIL and KSEBL Kerala State Electricity Board Limited', orders the following.

- (1) Condones the delay of 171 days from 29-10-2021 in filing the petition.
- (2) Admit the petition for further processing.

Petition OP No. 24/2022 disposed of.

**Sd/-
Adv A J Wilson
Member (Law)**

**Sd/-
Preman Dinaraj
Chairman**

Approved for issue

Sd
C R Satheeshchandran
Secretary