

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 95/MP/2017
alongwith IA No. 93/2017**

Subject : Petition under Section 79 of the Electricity Act, 2003 in relation to disputes arising out of the PPA dated 26.7.2016 between the petitioner and Solar energy Corporation of India Limited.

Petitioner : Welspun Energy Private Limited (WEPL).

Respondent : Solar Energy Corporation of India Limited (SECI).

Date of hearing : 22.12.2017

Coram : Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Parties present : Shri Vishal Singh, Senior Advocate, WEPL
Ms. Pragya Ohri, Advocate, WEPL
Ms. Kanika Kumar, Advocate, WEPL
Ms. Srishti Banerjee, WEPL
Shri Prabhas Bajaj, Advocate, SECI
Shri Abhishek, SECI

Record of Proceedings

Learned senior counsel for the petitioner submitted that the petitioner has filed the Interlocutory Application (IA) for substitution of Giriraj Renewables Private Limited (GRPL) in place of the petitioner since GRPL has stepped in the place of the petitioner as the resultant company, post the petitioner's demerger/Scheme of Arrangement between the petitioner and GRPL which was approved by the National Company Law Tribunal (NCLT) vide its order dated 26.5.2017. Learned senior counsel further submitted that since, Welspun Energy Private Limited (WEPL) has been amalgamated into Welspun Steel Limited and all its energy business was transferred to GRPL vide NCLT's order dated 8.8.2017, WEPL as a legal entity does not exist and it is imperative that WEPL be substituted with GRPL in the present petition.

2. Learned senior counsel for the petitioner further submitted that despite the Commission's directions dated 11.10.2017 to SECI to supply to the petitioner, the names of buying entities in terms of Article 16.3.1(ii) of the PPA within one week, SECI has failed to provide the said details to the petitioner. Consequently, the petitioner could not implead those entities as parties to the petition.

3. After hearing the learned senior counsel for the petitioner, the Commission admitted the IA and directed to issue notice to the respondents.



4. Learned counsel for SECI accepted notice to the IA and requested for time to file its reply to the IA and for providing the petitioner with the names of the buying utilities.

5. Learned senior counsel for the petitioner objected to submission of the said information to the petitioner by SECI in order to avoid any delay in the proceedings in the present petition.

6. The Commission directed the petitioner to serve the copy of the IA on the respondent, immediately, if not served already. The Commission directed the respondent to file its reply on affidavit by 29.12.2017 with an advance copy to the petitioner, who may, file its rejoinder, if any, by 5.1.2018. The Commission further directed SECI to comply with the Commission's directions dated 11.10.2017 at para 27 alongwith the reasons for non-compliance of the said directions. The Commission directed that due date of filing the replies, rejoinder and information should be strictly complied with failing which the order shall be passed on the basis of documents available on record.

7. The petition shall be listed for hearing on 9.1.2018.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Legal)**

