

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 118/MP/2021

Subject : Petition under Section 79(1)(f) read with section 79(1)(a), (b) and (k) of the Electricity Act, 2003 seeking inter alia a declaration that the Power Purchase Agreement dated 16.03.2020 stands validly terminated and/ or discharged, and seeking the release of the Performance Bank Guarantee issued to the Respondent.

Date of Hearing : 13.10.2022

Coram : Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : Sprng Wind Energy Private Limited (SWEPL)

Respondents : Solar Energy Corporation of India Limited (SECI) and Anr.

Parties Present : Shri Sanjay Sen, Sr. Advocate, SWEPL
Shri Parinay deep Shah, Advocate, SWEPL
Ms. Neha Datral, Advocate, SWEPL
Ms. Anushree Bardhan, Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI
Ms. Surbhi Kapoor, Advocate, SECI
Shri Siddharth Sharma, CTUIL
Shri Ranjeet Singh Rajput, CTUIL
Shri Lashit Sharma, CTUIL

Record of Proceedings

The learned senior counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking a declaration that the Power Purchase Agreement dated 16.3.2020 stands validly terminated and/or discharged and consequently, release of the Performance Bank Guarantee (PBG) issued to Respondent No.1, SECI. The learned senior counsel submitted that the pleadings in the matter have already completed and accordingly, the matter may be admitted and listed for hearing on merits. The learned senior counsel requested that in the meantime, SECI may be directed not to take any coercive steps including encashment of PBG till the next date of hearing.

2. Learned counsel for the Respondent No.1, SECI submitted that SECI has already filed its reply in the matter. Respondent No. 2 KSEBL has also filed its response.

3. After hearing the learned senior counsel for the Petitioner and the learned counsel for the Respondent No.1, SECI, the Commission admitted the matter. The Commission further directed that the interim protection to the Petitioner in terms of



Record of Proceedings for the hearing dated 25.5.2021 shall continue till the next date of hearing. The parties are directed to complete pleadings on or before 16.12.2022, if not completed.

4. The Petition shall be listed for hearing on 17.1.2023. In the meantime the parties are at liberty to submit written submissions not exceeding three pages before the date fixed..

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**