

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 241/MP/2024**

- Subject : Petition under Section 79 (1) (f) of the Electricity Act, 2003 seeking return of Payment of Order Instrument given under The Power Purchase Agreement dated 5.4.2019 entered into between the Petitioner and the Respondent No.1 for supply of power from its Wind Power Project.
- Petitioner : Boreas Renewable Energy Private Limited (BREPL)
- Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.
- Date of Hearing : **6.11.2024**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member
- Parties Present : Ms. Swapna Seshadri, Advocate, BREPL  
Ms. Aishwarya Subramani, Advocate, BREPL  
Shri Harsh Rao, Advocate, BREPL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition had been filed seeking the return of Payment of Order Instrument given by the Petitioner under the Power Purchase Agreement (PPA) dated 5.4.2019 entered into between the Petitioner and Respondent No.1, SECI for the supply of power from its Wind Power Project. Learned counsel submitted as per the Petitioner, the PPA dated 5.4.2019 stands discharged by the conduct of the parties therein.

2. Considering the submissions made by the learned counsel for the Petitioner, the Commission directed as under:
- (a) Admit and issue notice to the Respondents, subject to just exceptions;
- (b) The Respondents to file their respective replies, including on the preliminary aspect of arbitrability of the dispute/issue involved, within four weeks with a copy to the Petitioner, who may file its rejoinder(s) within three weeks thereafter.
3. The Petition will be listed for the hearing on **21.1.2025**.

**By order of the Commission**  
**Sd/-**  
**(T.D. Pant)**  
**Joint Chief (Law)**