

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.56/MP/2022**

- Subject : Petition under Section 63 and Section 79 of the Electricity Act, 2003 read with Competitive Bidding Guidelines and Articles 11 and 13 of the Power Purchase Agreement dated 23.5.2018 executed between ReNew Wind Energy (AP2) Private Limited and Solar Energy Corporation of India Limited.
- Petitioner : ReNew Wind Energy (AP 2) Private Limited (RWEPL)
- Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.
- Date of Hearing : **14.1.2025**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member
- Parties Present : Shri Vishrov Mukerjee, Advocate, RWEPL  
Shri Girik Bhalla, Advocate, RWEPL  
Ms. Anamika Rana, Advocate, RWEPL  
Shri Shubham Arya, Advocate, HPPC  
Ms. Poorva Saigal, Advocate, HPPC  
Ms. Reeha Singh, Advocate, HPPC  
Ms. Tanya Singh, Advocate, HPPC  
Shri M. G. Ramachandran, Sr. Advocate, SECI  
Ms. Anushree Bardhan, Advocate, SECI  
Ms. Surbhi Kapoor, Advocate, SECI  
Ms. Shirsa Saraswat, Advocate, SECI

**Record of Proceedings**

During the course of the hearing, the learned senior counsel and learned counsel for the Petitioner and Respondents made detailed submissions on the issue of arbitrability of the dispute involved. Learned senior counsel for the Respondent, SECI, also pointed out that an interim protection has operated in the favour of the Petitioner since 21.3.2022, thereby restraining SECI from invoking the Bank Guarantee submitted by the Petitioner. However, in terms of settled law on the bank guarantee and its interdiction in the bilateral disputes between the parties, the interim protection ought not to be extended any further. Learned counsel for the Petitioner, however, submitted that no grounds have been made out by SECI for vacating the interim protection at this stage, nor has any application been moved by it to this effect.

2. Considering the request of the learned senior counsel and learned counsel for the parties, the Commission permitted the parties to file their respective written submissions, if any, within 10 days with a copy to the other side.

3. Subject to the above, the Commission reserved the matter for order on the preliminary issue of arbitrability of the dispute(s) involved. The interim protection granted in favour of the Petitioner will continue till the issuance of the order as above.

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