

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 1028/MP/2025

Subject : Petition under Section 79 including Section 79(1)(f) of the Electricity Act, 2003 read with Article 17 of the Agreement for Power Purchase dated 18.5.2022, seeking declaration that the obligations of the Petitioner have been affected by Force Majeure Events, and other consequential reliefs.

Petitioner : RKM Powergen Private Limited (RKMPPL)

Respondent : Haryana Power Purchase Centre (HPPC) and Anr.

Date of Hearing : **17.9.2026**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V, Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Sitesh Mukherjee, Advocate, RKMPPL
Shri Hemant Singh, Advocate, RKMPPL
Ms. Supriya Rastogi, Advocate, RKMPPL
Shri Harshit Singh, Advocate, RKMPPL
Shri Devyanshu Sharma, Advocate, RKMPPL
Shri Sajid Akhtar Warsi, Advocate, RKMPPL
Shri Dharmendra Singh, Advocate, RKMPPL
Shri Nitesh Singh, Advocate, RKMPPL
Ms. Poorva Saigal, Advocate, HPPC
Shri Rishabh Saxena, Advocate, HPPC

Record of Proceedings

The learned counsel for the Petitioner submitted that the present Petition has been filed, *inter alia*, seeking a declaration that the Petitioner's obligations have been affected by Force Majeure Events, and other consequential reliefs. The learned counsel further referred to the pleadings and the list of dates circulated by him and, thereafter, concluded his elaborate submissions in the matter.

2. In response, the learned counsel for the Respondent, HPPC, commencing her arguments, submitted that under the bidding documents and the Agreement for Power Purchase dated 18.5.2022, the responsibility for arranging fuel, including coal linkage, was expressly and exclusively vested with the Petitioner. She further submitted that in the SLC Meeting held on 28.10.2022, the SLC reiterated its earlier view expressed in the Meeting dated 3.2.2022 and categorically held that it would not grant any extension in respect of PPAs entered into after 31.3.2022. Accordingly, the learned counsel submitted that the event relied upon by the Petitioner does not qualify as a Force Majeure Event.



3. The Commission observed that SECL has not filed any reply despite repeated opportunity.
4. Keeping in view the paucity of time and as indicated by the learned counsel for the Respondent, HPPC, that her submissions would go on for some time, the matter was adjourned with the consent of both sides.
5. The matter remained part-heard and will be listed for the hearing on **3.11.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)