CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No.180/MP/2024

Subject	:	Petition under Section 79(1)(f) read with Section 79(1)(b) of the Electricity Act, 2003 and Article 16.3.1 of the Power Purchase Agreement dated 04.09.2018, *inter alia,* seeking a declaration that pursuant to part-commissioning of the Project due to force majeure events, the Petitioner is not liable to pay any liquidated damages or any other sum, and is entitled to seek a refund of the liquidated damages erroneously collected by the Respondent.
Petitioner	:	Avikiran Solar India Private Limited (ASIPL)
Respondents	:	Solar Energy Corporation of India Limited (SECI) and Ors.
Date of Hearing	:	**6.11.2026**
Coram	:	Shri Jishnu Barua, Chairperson Shri Ramesh Babu V., Member Shri Harish Dudani, Member Shri Ravinder Singh Dhillon, Member
Parties Present	:	Shri Jafar Alam, Advocate, ASIPL Shri Ashwin Ramanathan, Advocate, ASIPL Ms. Aradhya Chaturvedi, Advocate, ASIPL Shri Sai Varshith Nukavarapu, Advocate, ASIPL Shri Aditya Singh, Advocate, MPPMCL

Record of Proceedings

At the outset, learned counsel for Respondent No. 2, Madhya Pradesh Power Management Co. Limited (MPPMCL), sought four weeks' time to file its reply to this Petition, and learned counsel for the Petitioner did not oppose the same.

3. In response to a specific query from the Commission regarding the Petitioner's views on referring the dispute to arbitration, the learned counsel for the Petitioner sought time to file its submissions in this regard.

4. The learned counsel for Respondent No. 1, Solar Energy Corporation of India Limited (SECI), submitted that if other parties are permitted to file submissions on the issue of arbitration, SECI may also be permitted to file its response.

5. After hearing learned counsel for the parties, the Commission deemed it appropriate to grant Respondent No. 2 four weeks to file its reply to the Petition. All other Respondents who have not yet filed their replies were also directed to file the same, if any, within four weeks, with a copy to the Petitioner. The Petitioner may file

its rejoinder(s), if any, within two weeks thereafter. Further, all the parties were again directed to file their respective submissions on the issue of referring the dispute to arbitration within four weeks.

6. The Petition will be listed for hearing on 12.1.2027

By order of the Commission

(Vipan Sharma)
Deputy Chief (Law)