CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No. 33/RP/2026 along with IA No. 163/2026

Subject	:	Review Petition under Section 94(1)(f) of the Electricity Act, 2003 read with Regulations 52 of the CERC (Conduct of Business) Regulations, 2023, Section 114 and Order XLVII Rule 1 of The Code of Civil Procedure, 1908 seeking review of the Common Order dated 31.12.2025 passed by this Commission in Petition No. 240/MP/2023 titled as 'M/s TP Saurya Limited vs. Kerala State Electricity Board Limited' and Petition No.302/MP/2023 titled as 'M/s TP Saurya Limited vs. Kerala State Electricity Board Limited'.
Petitioner	:	TP Saurya Limited (TPSL)
Respondent	:	Kerala State Electricity Board Limited (KSEBL)
Date of Hearing	:	**13.10.2026**
Coram	:	Shri Jishnu Barua, Chairperson Shri Ramesh Babu V, Member Shri Harish Dudani, Member Shri Ravinder Singh Dhillon, Member
Parties Present	:	Shri Venkatesh, Advocate, TPSL Shri Suhael Buttan, Advocate, TPSL Shri Vineet Kumar, Advocate, TPSL Shri Nikunj Bhatnagar, Advocate, TPSL Ms. Pragya Narain, Advocate, TPSL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition seeks review of the common order dated 31.12.2025 passed by the Commission in Petition Nos. 240/MP/2023 and 302/MP/2023 limited to the extent it observes that the Power Purchase Agreement between the Petitioner and KSEBL does not contain a restitution clause, thereby withholding the enforcement of recovery of carrying cost for pre-COD and post-COD period in light of the Hon'ble Supreme Court's order dated 12.12.2022 in Civil Appeal No. 8880 of 2022 in the case of Telangana Northern Power Distribution Co. Ltd. & Anr. v. Parampujya Solar Energy Pvt. Ltd. and Ors. Learned counsel further submitted that, as there is a 170-day delay in filing the Review Petition, the Petitioner has filed IA No. 163/2026 seeking condonation of the delay. The learned counsel submitted that an identical issue is also pending consideration in Petition No. 16/RP/2026 (NTPC Ltd v. KSEBL).

2. After hearing the learned counsel for the Petitioner, the Commission directed as under:

(a) Issue notice on both the IA and the Review Petition.

(b) The Respondent to file its replies, if any, within six weeks with a copy to the Petitioner, who may file its rejoinder, if any, within five weeks thereafter.

3. The Petition, along with IA, will be listed for hearing on **17.12.2026 at 2.30 P.M**

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