

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 348/MP/2023 along with IA No. 83/2025

Subject : Petition under Sections 79, including 79(1)(b), 79(1)(f) & 79(1)(k) of the Electricity Act, 2003, seeking a declaration that the bid process initiated by Solar Energy Corporation of India Limited, along with the Power Purchase Agreement dated 30.12.2022, executed in terms thereof, is a nullity.

Petitioner : Adani Renewable Energy Four Limited (AREFL)

Respondent(s) : Solar Energy Corporation of India Limited (SECI) and Ors.

Date of Hearing : **12.5.2026**

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

Parties Present : Shri Sanjay Sen, Senior Advocate, AREFL
Shri Hemant Singh, Advocate, AREFL
Shri Lakshyajit Singh Bagdwal, Advocate, AREFL
Shri Harshit Singh, Advocate, AREFL
Ms. Ruth Elwin, Advocate, AREFL
Shri Akhil Hasija, Advocate, CSPDCL
Shri Rohan Mishra, Advocate, CSPDCL
Ms. Mahima Singh Kanwar, Advocate, CSPDCL
Ms. Anushree Bardhan, Advocate, SECI
Ms. Somya Sahni, Advocate, SECI
Ms. Ritika Singh, Advocate, SECI
Ms. Rashmi Vaish, Advocate, SECI
Shri Aditya Singh, Advocate, MPPMCL
Shri Aditya K Singh, Advocate, UPPCL
Shri Mridul Gupta, Advocate, UPPCL
Ms. Dalima Gupta, Advocate, UPPCL
Shri Divyansh Singh, Advocate, UPPCL

Record of Proceedings

The learned senior counsel for the Petitioner, AREFL, submitted that the present Petition has been filed *inter alia* seeking a declaration that the bid process dated 25.5.2021 issued by the Respondent/SECI for procurement of the 1200 MW of power generated from ISTS-connected Wind Power Projects (Tranche XI) along with PPA dated

30.12.2022 executed in terms thereof, is a nullity on account of incurable defaults on the part of SECI and consequently, a discharge from any liability, financial or otherwise under the said PPA and the return of Performance Bank Guarantee of Rs. 54 crore furnished by the Petitioner. The learned senior counsel further submitted that during the previous hearing on 16.4.2026, the Petitioner had *inter alia* pointed out that pursuant to the direction to the parties to submit their views on the arbitrability of the disputes, one of the Respondents, namely, MPPMCL has raised an issue that the disputes involved are not connected to Section 79(1)(a) to (d) of the Act and are required to be resolved by way of arbitration; the subsequent judgment of APTEL dated 25.2.2026 in Appeal No. 348 of 2025; and also the pendency of the Review Petition against the said judgment. Moreover, as the long-stop date under the PPA was approaching, the Petitioner also pressed for a *status quo* direction. However, since the said request was not acceded to, the Petitioner was constrained to approach the APTEL in Appeal No. 163 of 2026, wherein the APTEL, by order dated 22.4.2026, has directed the parties to maintain the *status quo*, and the Respondents have also been directed not to take any coercive action against the Petitioner till the next date of hearing. Moreover, the APTEL has also directed the Commission not to await the disposal of the pending Review Petition against the judgment dated 25.2.2026 in Appeal No. 348 of 2025, but to proceed with the adjudication of this Petition as per law. Accordingly, the learned senior counsel submitted that the Petitioner is prepared to argue the matter, including on the arbitrability of the disputes.

2. However, due to a paucity of time, the matter could not be taken up for further hearing. Accordingly, the Commission adjourned the matter.

3. The matter will be listed for the hearing on **9.7.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)