

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 265/MP/2022 along with IA No.63/2023

Subject : Petition under Section 79(1)(c) and (f) of the Electricity Act, 2003 for adjudication of disputes.

Petitioner : Arunachal Pradesh Power Corporation Private Limited (APPCPL)

Respondents : Saranyu Power Trading Private Limited (SPTPL) and Ors.

Date of Hearing : **4.8.2026**

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

Parties Present : Ms. Swapna Seshadri, Advocate, APPCPL
Ms. Ritu Apurva, Advocate, APPCPL
Ms. Pragya Pushkar, Advocate, APPCPL
Shri Akshat Jain, Advocate, SPTPL
Shri Shikhar Verma, Advocate, SPTPL
Mr. Arijit Maitra, Advocate, IPCL
Shri Aditya Singh, Advocate, HPPC

Record of Proceedings

The learned counsel for the Petitioner submitted that both the Petitioner and Respondent No.1, SPTPL, agree that the dispute involved in the matter is a non-tariff issue and ought to be referred to arbitration in terms of the Arbitration Agreement between the parties under the Banking Agreement. The learned counsel submitted that the Petitioner has also made claims against Respondent No.2, IPCL. However, during the previous hearing, the learned counsel for IPCL had pointed out that IPCL has been admitted to CIRP and a moratorium has been declared, prohibiting the continuation of the pending suits/proceedings against it. However, notwithstanding its claims against IPCL, the Petitioner's dispute with Respondent No.1, SPTPL, can be referred to arbitration by the Commission in terms of the Banking Agreement between the parties. The learned counsel added that in the event the Petitioner and Respondent No.1, SPTPL, are unable to agree upon the name(s) of the arbitrator, the Commission may also proceed to appoint the arbitrator.

2. The learned counsel for Respondent No.1, SPTPL, while referring to the submissions advanced by the Petitioner during the previous hearing, submitted that the arguments in the Review Petition against the APTEL's judgment dated 25.2.2026 in Appeal Nos.348 of 2025 & Ors., interpreting the Commission's referral powers (referring the dispute to arbitration), have already been concluded. Therefore, in order to avoid multiplicity of proceedings, the Commission may, if deemed appropriate, await the outcome of the Review Petition and defer the matter for a few weeks.



3. The learned counsel for Respondent No.2, IPCL, submitted that the matter involves a preliminary issue of the jurisdiction of this Commission. The learned counsel submitted that the dispute arises out of the Banking Agreement entered into between two trading licensees and falls beyond the jurisdiction of this Commission. Further, referring to the APTEL's judgment dated 25.2.2026, the learned counsel submitted that if the Commission lacks jurisdiction to adjudicate a dispute, it also lacks the jurisdiction to refer the dispute to arbitration under Section 79(1)(f) of the Act. The learned counsel further submitted that IPCL has been admitted to CIRP and a moratorium has also been declared, thereby prohibiting the continuation of pending suits or proceedings against it. On merit, the learned counsel argued that the contract between the Petitioner and SPTPL was an independent contract and that the Petitioner has failed to establish that SPTPL was acting as IPCL's agent, thereby permitting it to raise claims against IPCL.
4. Considering the submissions made by the learned counsels for the parties, the Commission deemed it appropriate to adjourn the matter at this stage.
5. The Petition will be listed for hearing on **3.9.2026 at 2.30 P.M.**

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