

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 189/MP/2019

Subject : Petition under Section 79 (1) (b), Section 79(1)(f) and Section 79(1) (k) of the Electricity Act, 2003 read with Article 11 of the power purchase agreements entered into between Solar Energy Corporation of India and Parampujya Solar Energy Private Limited seeking directions to Solar Energy Corporation of India to act in accordance with Article 11 of the PPA accepting the impact of Force Majeure Events and extend the timeline for fulfilment of Conditions Subsequent and Scheduled Commissioning Date of the Petitioner's project.

Petitioners : Parampujya Solar Energy Private Ltd.

Respondent : Solar Energy Corporation of India Ltd. (SECI)

Date of Hearing : 5.9.2019

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri Nitish Gupta, Advocate, PSE(P) Ltd.
Shri Aditya Singh, Advocate, PSE(P) Ltd.
Ms. Jyoti Khatri, Advocate, PSE(P) Ltd.
Ms. Tanya Sareen, Advocate, SECI
Shri Shbham Arya, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed inter-alia for declaration that the Petitioner was prevented from performing its obligation under the PPA due to occurrence of Force Majeure events and direction to the Respondent, SECI to refund the amount deducted as liquidated damages by encashing the bank guarantee. Learned counsel requested the Commission to issue notice to the Respondent.

2. Learned counsel for the Respondent, SECI accepted notice and requested for four weeks time to file its reply.

3. After hearing the learned counsels for the Petitioner and SECI, the Commission admitted the Petition and directed to issue notice to the Respondent.

4. The Commission directed the Petitioner to serve copy of the Petition on the Respondent immediately, if not served already. The Respondent was directed to file its reply by 30.9.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 11.10.2019. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with.

5. The Petition shall be listed for hearing in due course for which separate notice will be issued.

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