

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 95/MP/2022 along with IA No.23/IA/2022**

Subject : Petition under Section 79 of the Electricity Act, 2003 along with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking issuance of appropriate orders/direction to Solar Energy Corporation of India Limited pursuant to the issues arising out of the Power Purchase Agreements dated 27.12.2017 and seeking consequent relief for releasing the Bank Guarantees issued by the Petitioners in favour of Solar Energy Corporation of India Limited.

Date of Hearing : 21.4.2022

Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member

Petitioners : Inox Green Energy Services Pvt. Ltd. (IGESPL) and 4 Ors.

Respondent : Solar Energy Corporation of India Limited (SECI) and 2 Ors.

Parties Present : Shri Sanjay Sen, Sr. Advocate, IGESPL  
Shri Mayank Bughani, Advocate, IGESPL  
Ms. Mandakini Ghopsh, Advocate, IGESPL  
Shri M. G. Ramachandran, Sr. Advocate, SECI  
Ms. Tanya Sareen, Advocate, SECI  
Ms. Shrishti Khindaria, Advocate, SECI  
Ms. Neha Singh, SECI  
Shri Shreedhar Singh, SECI  
Shri Shubham Mishra, SECI  
Shri Manoj Dixit, IGESPL  
Ms. Shipa Sinni, IGESPL  
Shri Bhupesh Juneja, IGESPL  
Shri Venkatesh Sonti, IGESPL

**Record of Proceedings**

Case was called out for virtual hearing.

2. Learned senior counsel for the Petitioner submitted that the present Petition has been filed, *inter alia*, seeking declaration that the execution of the Projects awarded to the Petitioners vide Letter of Awards dated 3.11.2017 as well as the subsequent Power Purchase Agreements dated 27.12.2017 as commercially and physically impossible on account of the various force majeure events enumerated in the Petition and therefore, ought to be terminated.

3. Learned counsel further submitted that the Petitioner has also filed IA bearing No. 23/IA/2022 seeking interim relief in the nature of appropriate directions



restraining the Respondents from encashing the Bank Guarantees furnished by the Petitioners till the final adjudication of the Petition. Learned senior counsel, thereafter, made detailed submission in support of the grant of aforesaid interim relief during the pendency of the Petition.

4. Learned senior counsel for the Respondent, SECI, on the other hand, also made detailed submissions on the IA and strongly opposed the grant of interim relief to the Petitioner.

5. Based on the request of the learned senior counsel for the parties, the Commission permitted the parties to file their respective written submissions on the IA within a week with copy to each other and accordingly, IA was reserved for order.

6. The Commission further ordered as under:

(a) Admit. Issue notice to the Respondents.

(b) The Petitioner to serve copy of the Petition on the Respondents immediately, if not already served and the Respondents to file their reply by 23.5.2022 after serving copy of the same to the Petitioner, who may file its rejoinder, if any, by 20.6.2022.

(c) Parties to comply with the above directions within the specified timeline and no extension of time shall be granted.

7. 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)  
Joint Chief (Law)**