

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 235/MP/2021**

- Subject : Petition under Section 79(1)(f) read with Section 79(1)(a) and (b) of the Electricity Act, 2003 read with the Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Wind Power Projects, 2017 as amended from time to time seeking declaration of discharge from any obligation and liability to the Respondent under the Request for Selection No. SECI/C&P/WPD/1200MW/T7/RfS/022019 dated 22.2.2019, Letter of Award dated 19.6.2019 or otherwise.
- Date of Hearing : 11.4.2023
- Coram : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : Betam Wind Energy Private Limited (BWEPL)
- Respondent : Solar Energy Corporation of India Limited (SECI)
- Parties Present : Ms. Parichita Chowdhury, Advocate, BWEPL  
Shri Nimesh Jha, Advocate, BWEPL  
Shri Rishabh Sehgal, Advocate, BWEPL  
Ms. Tanya Sareen, Advocate, SECI  
Ms. Aneesh Bajaj, Advocate, SECI

**Record of Proceedings**

At the outset, learned counsel for the Petitioner prayed for an adjournment in the matter.

2. Learned counsel for the Respondent, SECI submitted that the Commission vide Record of Proceedings for the hearing dated 16.2.2023 had directed the Petitioner to implead UPPCL as party to the Petition and to file a revised memo of parties within a week. However, the Petitioner is yet to comply with the aforesaid direction of the Commission.

3. Learned counsel for the Petitioner submitted that the Petitioner is objecting to the impleadment of UPPCL as party to the present Petition. Learned counsel submitted that the Petitioner has *inter-alia* sought a declaration that it stands discharged of its obligations under the RfS, LoA or otherwise qua SECI and no relief has been claimed against UPPCL. Learned counsel further submitted that as such the Petitioner does not have any privity with UPPCL. Learned counsel requested that the interim protection granted in favour of the Petitioner vide Record of Proceedings for the hearing dated 23.11.2021 be continued till the next date of hearing.

4. In response to the specific observation of the Commission as to the Petitioner having already been directed to implead UPPCL vide Record of Proceedings for the



hearing dated 16.2.2023, learned counsel for the Petitioner stated that as such he does not have any instruction on the above aspect and the Petitioner may be permitted to file its short response thereon.

5. After hearing the learned counsel for the parties, the Commission observed that direction for impleadment of UPPCL had been issued only after noting the same objection of the Petitioner earlier, which has neither been challenged nor reviewed by the Petitioner. Accordingly, the Commission directed the Petitioner to comply with the specific direction issued vide Record of Proceedings for the hearing dated 16.2.2023 within with a week without fail.

6. The Petition shall be listed for hearing on 25.5.2023.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Joint Chief (Law)**