

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 203/MP/2019**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 16.3.1 of the Power Purchase Agreements dated 2.5.2016 executed between the Petitioner and NTPC Limited seeking extension of the Scheduled Commissioning Date for two 70 MW solar power projects established under the National Solar Mission Phase-II, Batch-II, Tranche-I and seeking refund of the amount wrongfully and forcibly collected by NTPC Limited purportedly as liquidated damages for delay in commencement of supply of power.

Date of Hearing : 22.4.2021

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

Petitioner : Solaire Surya Urja Private Limited (SSUPL)

Respondents : NTPC Limited (NTPC) and 2 Ors.

Parties Present : Shri Sahil Kaul, Advocate, SSUPL  
Shri Venkatesh, Advocate, NTPC  
Shri Ashutosh Srivastava, Advocate, NTPC  
Shri Abhiprav Singh, Advocate, NTPC  
Shri Suhael Buttan, Advocate, NTPC  
Ms. Susan Mathew, Advocate, RSPDCL  
Shri Ishpaul Uppal, NTPC

**Record of Proceedings**

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner and learned counsels for the Respondents argued at length and in support of their contentions. They relied upon various clauses of the Power Purchase Agreements, Implementation Agreement, correspondence exchanged between the parties as well as with Rajasthan Rajya Vidyut Prasaran Nigam Limited, order/ decision of this Commission and the Appellate Tribunal for Electricity.

3. Based on the requests of learned counsels, the Commission directed the Petitioner and the Respondents to file their respective written submissions within the period of two weeks with copy to each other.

4. Subject to the above, the Commission reserved order in the matter.

**By order of the Commission**

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