

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION**  
SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH

**IA No. 28 of 2022**  
**In Petition No. 15 of 2017**  
**Date of Hearing: 12.07.2023**  
**Date of Order: 17.07.2023**

Application for listing of the above captioned matter on an early actual date and for passing appropriate orders therein.

AND

In the matter of: Photon Sunbeam Pvt. Ltd. Registered office 8<sup>th</sup> Floor, Statesman House, Barakahmba, Road, New Delhi- 110001.

Petitioner

1. Punjab State Power Corporation Limited, the Mall, Patiala.
2. Punjab Energy Development Agency, Solar Passive Complex, Plot No. 01 & 02, Sector 33-D, Chandigarh.
3. Syndicate Bank Limited, ArunchalBhawan, Building 19 Barakhamba Road, New Delhi through its Manager.

.....Respondent

Commission: Sh. Viswajeet Khanna, Chairperson  
Sh. Paramjeet Singh, Member

Photon: Sh. Aashish Chopra, Sr. Advocate  
Ms. MeherNagapl, Advocate

PSPCL: Ms. PoorvaSaigal, Advocate  
Ms. Harmohan Kaur, CE/ARR&TR  
Sh. Ajay Bansal  
Sh. Sanjeev Jain, Add.SE/Solar-3

PEDA: Sh. Aditya Grover, Advocate

Syndicate Bank: None

**ORDER**

The IA was taken up for hearing on admission. Notice was also issued to PEDA as well as Syndicate Bank, however, nobody has appeared on behalf of Syndicate Bank. After hearing the parties, IA is admitted. The Ld. Senior Counsel for the petitioner submitted that the petitioner is entitled for Rs. 5.57 per unit for supplying the power to PSPCL as per the terms of the PPA whereas PSPCL is paying only Rs. 5.08 per unit and it is very difficult for the petitioner to survive on such a rate. The Ld. Counsel for PSPCL submitted that award passed by the arbitrator is not enforceable and has been challenged before the Hon'ble Civil Court at Patiala. In response, the Ld. Senior Counsel for the petitioner further submitted that the award passed by the Arbitrator has not been stayed by

the Civil Court. It is mandatory under the arbitration Act 1996 to file an application for staying the award but PSPCL has not even filed any such application. The Ld. Counsel for PSPCL stated that the stay has been prayed for as a part of the Appeal itself before the Civil Court and requested for time to file its reply in this regard. The same may be filed within a week with a copy to the petitioner (through hard copy & soft copy). The Ld. Counsel for PEDDA also requested for time to file its reply. The Commission notes that PEDDA has not filed its reply even though there was adequate time since the last hearing. PEDDA is given one more opportunity and may file its written submissions within a week with a copy to the other parties (through hard copy & soft copy).

The petition shall be taken up for hearing on 09.08.2023 at 11.30 AM.

Sd/-  
(Paramjeet Singh)  
Member

Sd/-  
(Viswajeet Khanna)  
Chairperson

Chandigarh  
Dated: **17.07.2023**