

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 97/MP/2021

Coram:

Shri P.K. Pujari, Chairperson

Shri I. S. Jha, Member

Shri Arun Goyal, Member

Shri P.K. Singh, Member

Date of Order: 5th May, 2022

In the matter of

Petition under Section 79(1)(c), Section 79(1)(f) and Section 79(1)(k) of the Electricity Act, 2003 seeking appropriate directions to the Respondent, Central Transmission Utility of India Limited, to provide the Petitioner the precise location of the proposed Bhadla-III sub-station at which the Petitioner has since been granted Stage-II Connectivity in place of earlier Stage-I Connectivity granted at the Bhadla-II sub-station, and to allow time to the Petitioner to open Bank Guarantee(s), and to sign a Transmission Agreement for Connectivity until such precise location of the Bhadla-III sub-station is intimated to the Petitioner.

And

In the matter of

Aravalli Surya (Project 1) Private Limited,

14th Floor, Tower B, Vatika Towers,

DLF Golf Course Road, Suncity, Sector 54,

Gurugram, Haryana – 122003

.....Petitioner

Vs.

Central Transmission Utility of India Limited,

1st Floor, A-Wing, Saudamini,

Plot No. – 2, Sector – 29,

Near IFFCO Chowk Metro Station,

Gurgaon – 122 001, Haryana

.....Respondent

ORDER

The Petitioner, Aravalli Surya (Project 1) Private Limited, has filed the present Petition along with the following prayers:

- a) *Admit the present Petition and list the same for an urgent hearing;*

- b) *Declare and direct the Central Transmission Utility of India Limited to provide the Petitioner with the precise location and the timeline for establishment and commissioning of the proposed Bhadla III S/s as and when available;*
- c) *Direct the Central Transmission Utility of India Limited not to terminate/ revoke the Petitioner's Stage-II Connectivity for any reason whatsoever until at least 30 days after the date on which the precise location of the Bhadla-III S/s is intimated to the Petitioner;*
- d) *Restrain the Central Transmission Utility of India Limited from taking any coercive steps against the Petitioner, including by way of forcing the Petitioner to sign the Transmission Agreement and/or furnish the Connectivity BGs, until at least 30 days after the date when the precise location of the Bhadla III S/s is intimated to the Petitioner;*
- e) *Without prejudice, notwithstanding any other prayers herein and alternatively, declare and direct that if in the meantime, adequate spare connectivity capacity becomes available for grant of Stage II connectivity to the Petitioner at the Bhadla-II S/s, the Central Transmission Utility of India Limited must provide the Petitioner Stage II Connectivity at the Bhadla-II S/s, in lieu of which the Petitioner undertakes to forthwith execute the Transmission Agreement for Connectivity and furnish the requisite Connectivity Bank Guarantees;*
- f) *Without prejudice and in the alternative, exercise the Power to Relax under Regulation 33A of the Connectivity Regulations to relax the application of provisions of the Revised Detailed Procedure to grant the Petitioner time until 30 days after the precise location of the Bhadla-III S/s is intimated to execute the Transmission Agreement for Connectivity and furnish the Connectivity Bank Guarantees;*
- g) *Without prejudice and in the alternative, exercise the Power to Remove Difficulties under Regulation 33B of the Connectivity Regulations to remove difficulties in the application of provisions of the Revised Detailed Procedure to grant the Petitioner time until 30 days after the precise location of the Bhadla-III S/s is intimated, for the Petitioner to execute the Transmission Agreement for Connectivity and furnish the Connectivity Bank Guarantees;*
- h) *Pass appropriate ex parte ad-interim orders in terms of the prayers above inter alia directing the CTU to maintain status quo and restraining CTU from taking any coercive steps whatsoever against the Petitioner during the pendency of this Petition; and*
- i) *Condone any inadvertent errors or omissions which may have crept into the Petition due to the ongoing COVID-19 pandemic, and grant the Petitioner the liberty to rectify the same at a suitable later date, if required."*

2. Learned counsel for the Petitioner vide letter dated 20.4.2022 has submitted that Central Transmission of Utility of India Limited (CTUIL) vide letter dated 22.3.2022 has intimated the Petitioner regarding precise location of Bhadla-III sub-station. In response, the Petitioner informed CTUIL that the Petitioner is not willing to avail connectivity at Bhadla-III sub-station. Learned counsel has submitted that pursuant to the above development, the Petitioner does not wish to pursue the present Petition. Accordingly, learned counsel for the Petitioner has sought permission to withdraw the present Petition.

3. The Petition is being decided by circulation.

4. In view of the submissions of the learned counsel for the Petitioner vide letter dated 20.4.2022, the Petitioner is permitted to withdraw the present Petition.

5. Accordingly, the Petition No. 97/MP/2021 is disposed of as withdrawn.

Sd/-
(P.K.Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(I.S. Jha)
Member

sd/-
(P.K. Pujari)
Chairperson