

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 39/MP/2023 alongwith IA No. 5/2023**

- Subject** : Petition seeking setting aside of transmission charges/ bills raised by CTUIL and declaration that the Petitioners stand discharged from performance under (i) the Agreement for Long Term Access dated 4.12.2017 (ii) Supplementary Agreement for Long Term Access dated 9.5.2019, and (iii) Transmission Service Agreement dated 4.12.2017 executed between Petitioner and Central Transmission Utility of India Ltd. on account of force majeure and impossibility of performance under the Power Purchase Agreements dated 27.12.2017 and consequent relief thereto
- Petitioner** : Inox Green Energy Services Pvt. Ltd. & 4 Ors.
- Respondents** : Central Transmission Utility of India Ltd. & Anr.
- Date of Hearing** : 22.9.2023
- Coram** : Shri Jishnu Barua, Chairperson  
Shri I.S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Parties present** : Shri Mayank Bughani, Advocate, IGESL and NVWEL  
Ms. Suparna Srivastava, Advocate, CTUIL  
Ms. Aashtha Jain, Advocate, CTUIL  
Shri Swapnil Verma, CTUIL  
Shri Ranjeet Singh Rajput, CTUIL  
Shri Akshay Vat Kislai, CTUIL  
Ms. Priyansi Jadia, CTUIL

**Record of Proceedings**

The instant petition has been filed by IGESL and four others, praying for setting aside the bills raised by the CTUIL towards the transmission charges on account of force majeure and impossibility of performance under the Power Purchase Agreements dated 27.12.2017.

2. Learned counsel for the Petitioner submitted that there was a delay in filing the reply by the CTUIL and has therefore requested some time to file the rejoinder for the same.



3. In response to a query of the Commission, the learned counsel for the Petitioner submitted that the Petitioner has relinquished 200 MW of LTA against the unexecuted capacity.

4. The Commission directed the Petitioner to submit the details of the relinquishment of 200 MW LTA (Tranche-2) covered under the present petition and also the status of the LTA of 50 MW (Tranche 1) for which bilateral billing has been done by the CTUIL, on an affidavit with a copy to the Respondents.

5. The Commission further directed the Petitioner to file its rejoinder to the reply filed by the Respondents by 30.10.2023 with a copy to the Respondents.

6. The petition will be listed for a final hearing on 17.1.2024.

**By order of the Commission**

sd/-  
(V. Sreenivas)  
Joint Chief (Law)

