

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 192/MP/2024 along with IA No. 44/2024

Coram:

Shri Jishnu Barua, Chairperson

Shri Arun Goyal, Member

Shri Ramesh Babu V, Member

Date of Order: 12.07.2024

In the matter of:

Petition under Section 79 (1)(c) of the Electricity Act, 2003, read with Regulation 41 and 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access) Regulations, 2022 seeking the exercise of this Commission's "Power to Relax" and "Power to Remove Difficulty" and to declare that ASSPL / Petitioner No. 2 fulfils all conditions for utilisation of Connectivity dated 10.05.2022 under Regulation 5.8(xi)(b) of Central Electricity Regulatory Commission (Connectivity and General Network Access) Regulations, 2022 in light of Order dated 21.04.2024.

And in the matter of:

1. ACME Solar Holdings Pvt. Ltd.,
Plot No. 152, Sector 44, Gurgaon,
Haryana-122002

.....Petitioner No. 1

2. ACME Sikar Solar Pvt. Ltd.,
Plot No. 152, Sector 44, Gurgaon,
Haryana- 122002

.....Petitioner No. 2

Versus

1. Central Transmission Utility of India Limited,
"Saudamini", Plot No-2
Sector-29, Gurgaon, Haryana – 122001

.....Respondent

Parties Present:

Shri Basava Prabhu Patil, Sr. Advocate, ASHPL

Shri Girik Bhalla, Advocate, ASHPL

Ms. Priyanka Vyas, Advocate, ASHPL

Shri Shubham Arya, Advocate, CTUIL

Ms. Pallavi Saigal, Advocate, CTUIL

Ms. Anumeha Smiti, Advocate, CTUIL

Shri Swapnil Verma, CTUIL



Shri Siddharth Sharma, CTUIL
Shri Akshyavat Kislay, CTUIL

ORDER

The Petitioners, ACME Solar Holdings Pvt. Ltd and ACME Sikar Solar Pvt. Ltd. jointly have filed the instant Petition under Section 79 (1)(c) of the Electricity Act, 2003 (in short 'the Act') read with Regulations 41 and 42 of the Central Electricity Regulatory Commission (Connectivity and General Network Access) Regulations, 2022 (hereinafter referred to as "the 2022 GNA Regulations") seeking the Commission to exercise its "Power to Relax" and "Power to Remove Difficulty" to declare that ACME Sikar Solar Pvt. Ltd. fulfils all the conditions for utilisation of Connectivity dated 10.05.2022 under Regulation 5.8(xi)(b) of the 2022 GNA Regulations in light of Order dated 21.04.2024 in Petition No. 283/MP/2023.

2. The Petitioners have made the following prayers in the Petition:

- (a) *Exercise its power under Regulation 41 and Regulation 42 of the GNA Regulations 2022 and thereby declare that the Petitioners fulfil all conditions under Regulation 5.8(xi)(b) of the GNA Regulations and submission of land documents in the name of ASSPL i.e., the Project SPV are valid to utilise the Connectivity dated 10.05.2022 granted by CTUIL to ASHPL.*
- (b) *In the interim, injunct CTUIL from revoking the Connectivity dated 10.05.2022 granted to the Petitioners, during the pendency of the present Petition;*
- (c) *Pass such other order or orders which are deemed fit and proper in the facts and circumstances of the case.*

3. The Petitioners have also filed IA No. 44/2024 and IA No. 45/0224. The Petitioners have made the following prayers in IA No. 44/2024:

- (a) *Allow the present Application and direct the Respondent, CTUIL not to take any coercive action against the Applicants during pendency of the present petition; and*
- (b) *Injunct the Respondent / CTUIL from taking any steps towards revocation of the Connectivity dated 10.05.2022 granted to ASHPL, during the pendency of the present Petition; and*
- (c) *Pass any other order or direction as this commission may deem fit in light of facts and circumstances of the present Application.*

The Petitioners have made the following prayers in IA No. 45/2024:



- (a) Allow the present Application and urgently list the captioned Petition bearing Diary No. 261 of 2024 and interim Application bearing Diary No. 262 of 2024 on 17.05.2024 or at the earliest convenience of this Hon'ble Commission; and
- (b) Pass any such other Order(s) as this Commission may deem fit in the facts and circumstances of the present case.

4. IA No. 45/0224 was disposed of vide RoP for hearing dated 17.05.2024.

Submissions of the Petitioners:

5. The Petitioners have mainly submitted as follows:

- a) The Petitioners for the instant Petition are ACME Solar Holdings Private Limited ("ASHPL"/ "Petitioner No.1") (i.e., holding company of the Petitioner No.2) and ACME Sikar Solar Pvt. Ltd. ("ASSPL"/ Petitioner No. 2) seeking directions pursuant to Order dated 21.04.2024 passed by this Commission in Petition No. 283/MP/2023 ("Order dated 21.04.2024"). Since in terms of Order dated 21.04.2024, this Commission has directed the Petitioners to submit the land documents in terms of the 2022 GNA Regulations to the Respondent, Central Transmission Utility of India Ltd. ("CTUIL") within 04 weeks, failing which the connectivity dated 10.05.2022 will be revoked.
- b) The Connectivity dated 10.05.2022 has been granted in the name of ASHPL (parent company of ASSPL), whereas the land has been acquired by ASSPL, which is the Project SPV. Since this was a case of transfer of connectivity granted under the LoA route to Land route on account of termination of the Power Purchase Agreement dated 04.04.2022 ("PPA") executed between ASSPL and Maharashtra State Electricity Distribution Company Ltd. ("MSEDCL"), the land acquired by Project SPV i.e., ASSPL ought to be considered towards compliance with Regulation 5.8(xi)(b) of the 2022 GNA Regulations. CTUIL, vide e-mail dated 08.05.2024, has *inter alia* observed that the lease deeds with the landowners have been signed by ASSPL, which is a subsidiary of ASHPL. However, the existing connectivity has been granted to ASHPL. Accordingly, ASHPL was directed to submit the lease deeds signed with the connectivity applicant as per Regulation 5.8(xi) of the 2022 GNA Regulations. The interpretation of CTUIL will render otiose the fundamental premise of this Order dated 21.04.2024, and the relief given to the Petitioners will be set to naught.
- c) It is an admitted position that the ASSPL has acquired lease rights over 100% of the land and has tied up necessary funds / achieved financial closure for the new Project that would utilize the erstwhile connectivity dated 10.05.2022. It is not only impossible for the lease deeds to be transferred in the name of ASHPL (original connectivity

applicant) within the timelines prescribed by this Commission in its Order dated 21.04.2024 but would be contrary to the settled industry practice of the SPV / Project developer of acquiring land rights for the Project given that the SPV only oversees commissioning and operations of the Project.

- d) In Order dated 21.04.2024, this Commission had acknowledged the progress achieved by ASSPL, considering the Financial Closure letter issued to ASSPL by Power Finance Corporation on 12.02.2024, as well as the status of the lease rights obtained by ASSPL for the land. If CTUIL's interpretation, as made in its email dated 08.05.2024, were to be the case, then this Commission would have rejected the Petitioners' case and not issued a detailed order on the merits on 21.04.2024. Both this Commission and CTUIL were aware of ASSPL's attainment of financial closure and the execution of the land leases by ASSPL throughout the proceedings. Therefore, mere procedural shortcomings cannot be employed to defeat the substantive rights of ASSPL and ASHPL.
- e) The Commission may declare that submission of the land documents acquired by ASSPL, i.e., the Project SPV, is valid to utilize the Connectivity dated 10.05.2022 granted by CTUIL in terms of Regulation 5.8(xi)(b) of the 2022 GNA Regulations. This will be in consonance with the position that the subsidiary company is permitted to utilize the connectivity granted to the parent company and vice-versa in terms of the first proviso to Regulation 15.1 of the 2022 GNA Regulations.
- f) The first proviso to Regulation 15.1 of the 2022 GNA Regulations permits Connectivity granted to a parent company to be utilised by its subsidiary companies and Connectivity granted to a subsidiary to be utilised by its parent company. Thus, a purposive interpretation of Regulation 5.8(xi)(b) read with the first proviso to Regulation 15.1 of the 2022 GNA Regulations ought to be given that will further the objective of the 2022 GNA Regulations, i.e., to ensure transmission capacity and generation capacity are not being stranded and there is no squatting of connectivity. If the interpretation adopted by CTUIL is permitted, the legislative intent of the first proviso to Regulation 15.1 of the 2022 GNA Regulations will be rendered otiose.
- g) Since ASHPL was awarded the LoA pursuant to a competitive bidding process, and it was only thereafter that ASSPL was incorporated as an SPV to carry out the development and construction of the proposed 300 MW capacity. Once SPV (i.e., ASSPL) has been specifically incorporated for the purpose of fulfilment of the purpose of the LoA granted to ASHPL and a PPA was signed between ASSPL and

MSEDCL, it was ASSPL who has been fulfilling all the conditions subsequent to the construction and development of the 300 MW Project.

- h) The Petitioners are also constrained to move this Commission since at the meeting held on 14.02.2024, attended by CTUIL, RE Power Developers (including the Petitioners), and members of the RE Associations, the issue of allowing conditions subsequent to be satisfied by either the Connectivity grantee or the subsidiary which is utilizing the connectivity was brought up, wherein CTUIL had responded that this issue had been raised by CTUIL before this Commission. Therefore, this is a broader issue being faced in the sector and this Commission may be pleased to interfere to resolve this issue.
- i) On 12.02.2024, Power Finance Corporation (PFC) approved the financing for the 300 MW Project at an estimated cost of Rs. 1614.60 Crores. A final sanction letter has been issued by PFC to ASSPL wherein PFC agreed to grant Rupee Term Loan Assistance to the extent of Rs. 1210.95 Crores with a Debt: Equity ratio of 75:25.
- j) On 06.05.2024, in compliance with Order dated 21.04.2024, the Petitioners, vide e-mail, submitted the following necessary land documents as per Regulation 5.8 (xi) of the 2022 GNA Regulations to CTUIL: -
 - i. Relationship Certificate of ASHPL and ASSPL from Chartered Accountant.
 - ii. Undertaking as per CTUIL Format.
 - iii. Title Report by the Advocate.
 - iv. Lease deeds for 300 MW Project.
 - v. Order dated 21.04.2024.
- k) On 08.05.2024, CTUIL vide e-mail requested the Petitioners to submit revised documents by incorporating the observations made as under: -
 - i. The lease Deeds have been signed by ASSPL with the landowners. However, connectivity has been granted to ASHPL. ASHPL is to submit lease deeds signed with the connectivity applicant as per Regulation 5.8(xi) of 2022 GNA Regulations and advisory available on the CTU website.
 - ii. The title Report submitted along with the application is to be counter-signed by the applicant.

- iii. The lease Deed mentioned at Sl. No 45 of Title Report to be registered along with under 54 endorsement and Registration endorsement duly signed by Dy Registrar.
 - iv. Unique Registration Number to be mentioned at Sl. No. 6 and 43 of the Title Report.
 - v. Copy of a Lease Deed corresponding to Sl. No. 36 of the Title Report to be submitted.
 - vi. As per the intimation of the grant of Stage-II Connectivity, the location of the project is Kavani-1, Bikaner, Rajasthan. However, land documents have been submitted for Village- Nokha urf Daya, Colonization Tehsil-Gajner, Mukam-Kolayat, Dist-Bikaner, Rajasthan. To inform if there is any change in the location of the project. In such a case, submit revised coordinates of the project.
- l) ASSPL has undertaken substantial development activities for the project, including tying-up funds, obtaining evacuation approvals, and acquiring 100% of the land required for its 300 MW Solar Project. Notably, due to the issue raised by CTUIL vide email dated 08.05.2024 on utilisation of connectivity under land route, which has raised serious concerns on the rights of ASSPL to utilise the connectivity, ASSPL's lenders are not disbursing further funds granted to ASSPL under project loan for project activities to be implemented by ASSPL which is impacting and delaying the Project activities. Investments and progress made by the Petitioners towards the construction of the Project will be rendered stranded if they are not permitted to utilise the existing connectivity.
- m) Accordingly, the Petitioners are constrained to file the present Petition *inter alia* praying the Commission to exercise its "Power to Relax" and "Power to Remove Difficulty" under the 2022 GNA Regulations and declare that the Petitioners fulfil all conditions to utilise its existing connectivity under Regulation 5.8(xi)(b) of the 2022 GNA Regulations for its other project under implementation in light of the Order dated 21.04.2024.
- n) ASSPL has acquired about 900 acres i.e., 100% of land for the Project, for setting up of the Project. Therefore, considering this, ASSPL is eligible for the grant of connectivity under Regulation 5.8(xi)(b) of the 2022 GNA Regulations since the connectivity would be utilised by the Project developer i.e., ASSPL.

- o) The first proviso to Regulation 15.1 of 2022 GNA Regulations permits Connectivity granted to a parent company to be utilised by its subsidiary companies and Connectivity granted to a subsidiary to be utilised by its parent company. However, there is no procedure/mechanism under the 2022 GNA Regulations whereby the conditions precedent for the grant of connectivity under the Land route are allowed to be satisfied by either the Connectivity grantee or the subsidiary that is utilizing the connectivity. The purpose and intent of the 2022 GNA Regulations, is to avoid the squatting of connectivity and to only entertain serious players. The objective of Regulation 5.8(xi)(b) is to ensure that the entity, that is being granted the connectivity has the ownership and title over the land to ensure the seriousness of the connectivity applicant. In the present case, the connectivity that has been permitted to be converted from the LoA route to the Land route by this Commission vide Order dated 21.04.2024 will be utilized for the Project that is under implementation by ASSPL, which has the ownership and title over the lease deeds for the said Project. Therefore, there will be no squatting of connectivity.
- p) The Hon`ble Supreme Court in the case of *Dakshin Gujarat Vij Company Ltd. v. Gayatri Shakti Paper and Board Ltd. and Anr* [2023 SCC OnLine SC 1276], while interpreting the provisions of the Electricity Rules, 2005 for being classified as a captive generating plant and a captive user, has held that a practical interpretation of the Act / Rules is preferable so as not to over-ride the legislative intent.
- q) Notably, connectivity is applied prior to the implementation of the project, and it is only subsequently, when a project is secured, it is implemented through a subsidiary company. Thus, evidently, at the time of application for the grant of connectivity under the CERC Connectivity Regulations, 2009, ASSPL could not have applied for the same since ASSPL was incorporated only to carry out the implementation of the 300 MW Project subsequent to the issuance of LoA to ASHPL by MSEDCL. Further, since the LoA was issued to ASHPL, only ASHPL could have applied for the grant of connectivity under the LoA route in terms of the 2009 Connectivity Regulations. Subsequent to the issuance of LOA to ASHPL, a PPA was executed between ASSPL and MSEDCL for the said 300 MW solar power project which stands validly terminated by the Petitioners, as has been upheld by MERC vide order dated 27.12.2023.
- r) Once the LoA has been awarded to a generating company subsequent to a competitive bidding process, the bid winner incorporates an SPV for the

implementation of the proposed project. Thereafter, it is the SPV so incorporated, that undertakes all the conditions subsequently required for the construction and development of the proposed project. Under such circumstances, once the SPV (i.e., ASSPL) has been specifically incorporated for the purpose of fulfilment of the purpose of LoA granted to ASHPL, it was ASSPL that has been fulfilling all the conditions subsequent to the construction and development of the 300 MW project, including the acquisition of land for the project and achieving Financial Closure for the project.

- s) There was no occasion for ASHPL to acquire the land for the 300 MW Project in its own name when the Petitioners were undertaking the project implementation activities under the erstwhile LoA route since it was the understanding of all parties that the said 300 MW Project will be commissioned within the stipulated period, and the connectivity granted under the LoA route by CTUIL will be utilised for evacuation of power from the said project to the concerned beneficiary.
- t) In terms of Regulations 41 and 42 of the 2022 GNA Regulations, in case any regulation causes hardship to a party or causes injustice to a party, or the application thereof leads to an unjust result, this Commission has wide powers to relax any provision of the regulations and to remove difficulties arising in giving effect to the provisions of the regulations.
- u) In terms of the Order dated 21.04.2024, this Commission has directed the Petitioners to submit the land documents in terms of the 2022 GNA Regulations to CTUIL within 04 weeks, failing which the connectivity may be revoked. The 04 weeks' timeline is expiring on 18.05.2024, and if the Petitioners are not given the interim relief, then the objective and directions of Order dated 21.04.2024 will become infructuous and non-executable without any fault of the Petitioners.

Submission of the Petitioners in IA No. 44/2024

3. The Petitioners vide IA No. 44/2024 have reiterated their submission made under the main Petition and prayed to direct CTUIL not to take any coercive action against the Applicants and injunct CTUIL from taking any steps towards revocation of the Connectivity dated 10.05.2022 granted to ASHPL, during the pendency of the present Petition.

Hearing dated 17.05.2024

4. The Commission directed to list the matter on 29.5.2024 and that till such time, CTUIL will not take any coercive action in connection to the Petitioners' connectivity application, which is the subject matter of the present case. The Commission further held that unless the protection is extended after 29.5.2024, CTUIL will be free to take action against the Petitioner's Connectivity application.
5. The Commission disposed of the IA No. 45/2024.

Hearing dated 29.05.2024

6. The ROP for the hearing dated 29.05.2024 was recorded as follows:

Learned senior counsel for the Petitioners submitted that the present Petition has been filed inter alia seeking a declaration that the Petitioners fulfil all the conditions for utilisation of the connectivity dated 10.5.2022 under Regulation 5.8(xi)(b) of the GNA Regulations in light of order dated 21.4.2024 passed by the Commission in Petition No. 283/MP/2023. Learned senior counsel further submitted that by way of the order dated 21.4.2024, the Commission relaxed the provisions of Regulation 24.6 of the GNA Regulations and allowed the Petitioners to convert its connectivity granted under LoA/PPA route to the land route as provided in Regulation 5.8(xi) of the GNA Regulations subject to fulfilment of certain conditions by the Petitioners which inter alia included the submissions of the required land documents to CTUIL within four weeks. Learned senior counsel submitted that the connectivity dated 10.5.2022 had been granted in the name of the ASHPL [parent company of Petition No. 2, ACME Sikar Solar Pvt. Ltd. (ASSPL)], whereas the entire required land (approx. 900 acres) has been acquired by ASSPL, which is the Project SPV and since this was a case of transfer of connectivity under the LoA route to landroute on account of termination of the PPA executed between ASSPL and Maharashtra State Electricity Distribution Co. Ltd., the land acquired by Project SPV, ASSPL ought to be considered by CTUIL towards the compliance with Regulation 5.8(xi)(b) of the GNA Regulations. However, CTUIL has refused to consider the land documents (lease deeds) signed by ASSPL (a subsidiary of ASHPL) and has asked to submit the lease deeds signed by ASHPL. Learned senior counsel submitted that the provisions of Regulation 5.8(xi)(b) read with Regulation 15 of the GNA Regulations ought to be given a purposive interpretation, which furthers the objectives of the GNA Regulations rather than narrow and pedantic interpretation of the said provisions.

2. *In response to the Commission's specific query regarding the possibility of transferring the land documents from ASSPL (Subsidiary Co.) to ASHPL (Parent Co.), learned senior counsel submitted that ASSPL has arranged the requisite land by way of lease deeds with the concerned landowners and these deeds as such do not permit the further sub-lease.*

3. *Learned counsel for Respondent, CTUIL, mainly submitted as under:*

(a) *The present Petition is nothing but an abuse of process of law and is barred by Order II Rule 2 of the Code of Civil Procedure Code, 1908.*

(b) *At the time of filing of Petition No. 238/MP/2023, the Petitioners were well aware that the land documents were in the name of a subsidiary and not the Connectivity Grantee, the Petitioner No.1, ASHPL (Parent Co.) as required under the GNA Regulations and despite this, neither they revealed this aspect on record therein nor they chose to seek any relief/relaxation in this regard. In this context, the reliance was placed on the Minutes of the 4th Meeting with RE Developers and their association held on 17.10.2023.*

(c) *Only after having secured the conversion of connectivity granted under the LoA/PPA route to land route from this Commission, under its "Power to Relax", in an earlier round vide*

order dated 21.4.2024 in Petition No. 283/MP/2023, the Petitioners have now approached this Commission seeking further exercise of its "Power to Relax" for consideration of lease deeds signed by the subsidiary company for the connectivity granted to the parent company.

(d) Further, the Commission, in its order dated 12.5.2024 in Petition No. 9/MP/2024 (ACME Cleantech Solutions Pvt. Ltd. and Anr. v. CTUIL), has clearly observed that the utilization of documents with the parent company by its subsidiary company to fulfil certain conditions under the GNA Regulations is not allowed under Regulation 11A(4) or Regulation 15 of the GNA Regulations. In this regard, reference was made to paragraph 28 of the order dated 12.5.2024.

(e) CTUIL may be permitted to file its brief submissions in the matter.

4. In response, learned senior counsel for the Petitioners mainly submitted as under:

(a) The order dated 12.5.2024 in Petition No. 9/MP/2024 is distinguishable and does not apply to the facts of the present case. The said case pertained to Regulation 11A (4) of the GNA Regulations, i.e., conversion of connectivity granted on the basis of the land route or BG route to the LoA route. Also, the Petitioner, ACME Sun therein, had sought a change in the configuration (Solar to Wind with ESS) in terms of Clause 5(xiii) of the Detailed Procedure under the GNA Regulations and since ACME Sun was not a Connectivity Grantee, the Commission held the said application to be premature.

(b) Subsequent to the 4th Meeting with RE Developers and their association held on 17.10.2023, the issue involved in the present case was also discussed in the 8th Meeting with RE Developers and their associations held on 14.2.2024, wherein CTUIL was requested to engage with the Commission to allow the same through Suo-motu order under Power to Remove Difficulties, and CTUIL had indicated that the matter had already been referred to the Commission.

(c) The Petitioners are already in compliance with all the conditions laid down by the Commission in its order dated 21.4.2024 in Petition No. 283/MP/2023 and are expecting to achieve the commercial operation of its RE Project by September 2024 as against the deadline of October 2024 given by the Commission in the said order. Petitioner No.2, SPV/Subsidiary Company, has already achieved the financial closure and has infused 10% of the Project cost under equity as required.

(d) The Petitioners may also be permitted to file their brief submissions in the matter, and the interim protection granted by the Commission by Record of Proceedings for the hearing dated 17.5.2024 may be extended until the outcome of the present Petition.

5. Considering the submissions made by the learned senior counsel and learned counsel for the parties, the Commission permitted both sides to file their respective brief submissions, if any, within a week with a copy to the other side. The Respondent, CTUIL, was also directed not to take any coercive action in connection to the Petitioners' connectivity application, which is the subject matter of the present case, till the outcome of the present matter.

6. Subject to the above, the Commission reserved the matter for order."

Written Submissions by the Petitioners

7. The Petitioners, in their written submissions dated 04.06.2024, have reiterated their submissions and additionally have submitted as under:

8. ASSPL has awarded the Engineering, Procurement, and Construction (EPC) agreement for supply and services and has placed orders for major equipment like

Power Transformer and Switchyard, as under:

- i. Modules: Order placed to ZN-shine with delivery date starting from May 2024 till July 2024
 - ii. Power Transformer: Order placed to TBEA Energy India Pvt Ltd for 02 no. of 150 MVA (220/33 kV) transformers with delivery dates of May and June 2024.
 - iii. Switchyard: Order placed to Onix Renewable Ltd for erection, supply, testing, and commissioning of 220/33 kV switchyard, which includes bays also, with a target completion date of July 2024.
- ii. This Commission vide Order dated 12.05.2024 in Petition No. 9/MP/2024 titled ACME Cleantech Solutions Pvt. Ltd. & Anr. v. Central Transmission Utility of India Ltd. has disallowed the prayer to convert 400 MW solar connectivity granted under BG route to 400 MW wind connectivity under LOA route. Even CTUIL placed heavy reliance on this Commission's Order dated 12.05.2024 in Petition No. 9/MP/2024. The Order dated 12.05.2024 passed in Petition No. 9/MP/2024 is different than the present petition bearing no. 192/MP/2024, since;
- i. Petition No. 09/MP/2024 dealt with in-principle connectivity granted to ACME SUN (wherein the grant of final connectivity was pending). Whereas in the present petition, the final connectivity has been granted to ASHPL.
 - ii. Petition No. 09/MP/2024 dealt with conversion of the connectivity under Land BG route for a solar project (Regulation 5.8(xi)(c) of the 2022 GNA Regulations) to connectivity under the LoA route for a wind project (Regulation 5.8(xi)(a) of the 2022 GNA Regulations) in accordance with Regulation 11A (4) of the 2022 GNA Regulations read with Clause 5(xiii) of the Detailed Procedure. However, in the present case, there is no change in the source as it is a conversion from LOA-based solar connectivity to land-based solar connectivity, which has already been allowed by the Commission.
 - iii. Petition No. 09/MP/2024 dealt with the conversion under Regulation 11A(4) of the 2022 GNA Regulations. However, the present case deals with a scenario not contemplated in the 2022 GNA Regulations as a result of which this Commission had exercised its power to remove difficulties in Petition No. 283/MP/2023.
- iii. The present case seeks conversion of final connectivity granted to ASHPL under the LoA route to ASSPL under the Land Route, which is distinct from Petition No. 9/MP/2024 since:

- i. There is no question of change of source of power as per Clause 5(xiii) of the Detailed Procedure in the present case.
- ii. There is no question of the final grant of connectivity being pending as ASHPL had been granted final connectivity under the LOA route.
- iii. The case of ACME SUN (9/MP/2024) dealt with a scenario specifically contemplated by Regulation 11A(4) of the 2022 GNA Regulations. The present case deals with a scenario that was not envisaged in the 2022 GNA Regulations. Notably, vide Order dated 21.04.2024, this Commission, noting the progress made by ASHPL herein, exercised powers to relax vide Regulation 24.6 and allowed ASHPL to convert its Connectivity dated 10.05.2022 from the 'LOA/PPA route' to 'Land route' for the Project being implemented by ASSPL. The present case does not deal with Regulation 11A(4) of the 2022 GNA Regulations.
- iv. Further, MoP Bidding Guidelines allow participation in the bid through a Parent Company and Project execution by its subsidiary company. Accordingly, ASHPL participated in the bid and secured connectivity through the LOA route and subsequently signed a PPA from its subsidiary company, i.e., ASSPL with MSEDCL (under the PPA land-related obligations were on ASSPL).

Written Submission by Respondent, CTUIL

9. The respondent, CTUIL, vide its written submission dated 05.06.2024, has mainly submitted as follows:
 - a) During the pendency of Petition No. 283/MP/2023 before this Commission, on 17.10.2023, the 4th Meeting of CTUIL with the Renewable Energy ('RE') Developers was held wherein the issues relating to Regulation 15.1 & 11.0 A were deliberated. The relevant extract from the 4th Meeting dated 17.10.2023 reads as under:

"1. General Network Access regulation 15.1 & 11.0 A related

In order to mitigate the risk of connectivity, IPPS tend to apply connectivity via BG route even before securing a bid or a project. Since there is not much of clarity around which subsidiary shall then execute the project, the Connectivity is secured in the holding company/ platform company, Later once the project is secured, it if from compliance of law perspective ideal to execute the project via a subsidiary. In this philosophy, the connectivity is allowed to be utilised by subsidiary; however, it is mandated for the land to be acquired in the name of the entity which hold the connectivity for meeting the compliance under GNA Regulations, Further, all the financial closure for the project shall then be done at the subsidiary level only which again will pose challenges in meeting the requirements under GNA Regulations.

And thus CTUIL is requested to allow Conditions Subsequent to be satisfied by either the Connectivity Grantee or the subsidiary which is utilizing the connectivity.

CTUIL response: *As per the GNA regulations, LOA/PPA/land documents/financial closure/equity infusion certificate, etc. should be in the name of applicant. For any modification in the above provisions of GNA, RE developers may approach CERC.”*

NOTE: Acme Solar was also present in the above meeting

- b) In pursuance to the directions of this Commission in Order dated 21.04.2024 in Petition No. 283/MP/2023, on 06.05.2024, the Petitioners submitted the land documents executed between ASSPL and the landowners to CTUIL. However, on 08.05.2024, CTUIL reverted the Petitioner’s application, requesting the Petitioners, inter alia, to submit revised land documents which have been executed between ASHPL and the landowners as the Connectivity dated 10.05.2022 has been granted to the Parent Company – ASHPL.
- c) The present petition is not maintainable before this Commission in terms of the principles of Order II Rule 2 of the Code of Civil Procedure, 1908, which bars a party from claiming, directly or indirectly, by way of a subsequent petition, any relief that it had failed to claim at the relevant time of filing of the earlier petition. In this regard, reliance has been placed on the following judgments:
- i. Coffee Board v. Ramesh Exports (P) Ltd., [(2014) 6 SCC 424];
 - ii. Judgment dated 18.05.2011 passed by APTEL in Appeal No. 172 of 2010 in the case of Bihar Steel Manufacturers Association v. Bihar Electricity Regulatory Commission.
- d) The Petitioners were aware of the requirement of the land documents to be executed in the name of the Connectivity Applicant in view of the 4th Meeting of the RE Developers wherein CTUIL had clarified that as per the 2022 GNA Regulations, LOA/PPA/land documents/financial closure/equity infusion certificate, etc. should be in the name of the applicant, and for any modification in the same, the Petitioners may approach this Commission. However, despite the above clarification, the Petitioners did not claim any relaxation relating to the utilisation of the land documents executed in the name of the Special Purpose Vehicle (‘SPV’) – ACME Sikar for utilization of the Connectivity dated 10.05.2022 granted in the name of the Parent Company – ACME Solar Holdings, at any stage, during the pendency of Petition No. 283/MP/2023. Further, the Petitioners did not even place the said fact on record before this Commission during the proceedings in Petition No. 283/MP/2023.
- e) The 2022 GNA Regulations provide that the only Connectivity Applicant under

Regulation 5.8(xi)(b) shall submit land documents within 180 days of issuance of the final grant of Connectivity. Further, the Proviso to Regulation 15 of the 2022 GNA Regulations only provides that a parent company may utilise the connectivity granted to a subsidiary and vice-versa. The Proviso to Regulation 15.1 does not provide for utilisation of documents executed in the name of the subsidiary for a Connectivity granted to the Parent company. Accordingly, it is the Connectivity Applicant who is required to submit land documents executed in its own name and not in the name of a Parent/Subsidiary company.

- f) The above position stands clarified in terms of the Order dated 12.05.2024 passed by this Commission in Petition No. 9/MP/2024 – ACME Cleantech Solutions Private Limited and another v. Central Transmission Utility of India Limited, wherein it has been observed that the utilization of documents executed with the Parent Company by its Subsidiary to fulfil the conditions under the 2022 GNA Regulations is not allowed in terms of the 2022 GNA Regulations.
- g) In the circumstances, the relaxation, if at all, ought to have been claimed by the Petitioner in Petition No. 283/MP/2023 and not by a subsequent Petition. Even otherwise, the relief as sought by the Petitioners is squarely covered against the Petitioners vide order dated 12.05.2024 passed by this Commission in Petition No. 09/MP/2024. Lastly, this Commission may consider whether, in the garb of a Petition seeking relaxation, the Petitioner is, in effect, seeking a review of the order dated 21.04.2024 passed in Petition No. 283/MP/2023.

Analysis and Decision

10. We have considered the submission of the Petitioner and Respondents. In light of the same, the following issues arise for consideration:

Issue No. 1: Whether the present petition is barred by Order II, Rule 2 of the Code of Civil Procedure, 1908?

Issue No. 2: Whether the Petitioner is entitled to any relief with respect to the submission of land documents and meeting the other compliances in terms of the 2022 GNA Regulations by the ASSPL (SPV of the ASHPL) against the Connectivity granted to ASHPL?

The above issues have been dealt with in the succeeding paragraphs.

Issue No. 1: Whether the present petition is barred by Order II, Rule 2 of the Code of Civil Procedure, 1908?

11. CTUIL has submitted that the present Petition is not maintainable in terms of the principles of Order II Rule 2 of CPC, which bars the party from claiming, directly or indirectly by way of a subsequent petition, any relief that it had failed to claim at the relevant time of filing of the earlier Petition. CTUIL has stated that the Petitioners were aware of the requirement of the land documents to be executed in the name of connectivity applicant in view of the 4th Meeting of RE Developers dated 17.10.2023 wherein CTUIL had clarified that as per GNA Regulations, LoA/PPA/land documents/financial closure/ equity infusion certificate, etc. should be in the name of the applicant and for any modification in the same, the Petitioners may approach the Commission. However, despite the above clarification, the Petitioner did not claim any relaxation relating to the utilization of land documents executed in the name of SPV, i.e., Petitioner No.2 for utilization of the connectivity dated 10.5.2022 in the name of Parent Company, i.e., Petitioner No.1 at any stage during the pendency of the Petition No. 283/MP/2023.
12. *Per contra*, the Petitioners, while refuting the above contentions, have pointed out that the present issue, being a sectoral issue faced by other developers as well, was within the knowledge of the CTUIL, as is evident from the minutes of the Meeting held on 17.10.2023 amongst COO – CTUIL and RE Developers. However, subsequently, during the meeting held on 14.2.2024, CTUIL had itself intimated that similar issues as raised in the present Petition have been taken up with the Commission for consideration.
13. We have considered the submissions made by the parties. While delving into the issue of applicability of Order II Rule 2 of CPC, it is important to note that the object of Order II Rule 2 is to ensure that no defendant is sued or vexed twice with regard to the same cause of action and second to prevent a plaintiff from splitting claims and remedies based on the same cause of action. We also observe that Order II Rule 2 of the CPC bars the subsequent suit on the same cause of action but does not, however, bar a subsequent suit based on a different and distinct cause of action. In other words, the cardinal requirement for application of the provisions contained in Order II Rule 2 is that the cause of action in the later suit must be the same as in the first suit.
14. As noted above, earlier, the Petitioners had filed Petition No. 283/MP/2023 seeking permission to utilise their existing connectivity granted on 10.5.2022 under the

LoA/PPA route in terms of Regulation 8 of the erstwhile Connectivity Regulations, 2009 for the Project being set-up by the Petitioners under the GNA Regulations, 2022. The Petitioner No.1, ASHPL, was granted Stage II connectivity at Bikaner II PS for 300 MW on the LoA/PPA route on the basis of the PPA dated 4.4.2022 signed between the SPV, ASSPL, and Maharashtra State Electricity Distribution Co. Ltd. Subsequently, on account of occurrence of a force majeure event, namely, non-availability of adequate transmission corridor in STU network to offtake power from ASSPL through ISTS network, the said PPA came to be terminated and the Maharashtra State Electricity Regulatory Commission also upheld the occurrence of a force majeure event leading to the said termination. Since the underlying PPA dated 4.4.2022, which formed the basis for utilising the connectivity dated 10.5.2022 was no longer there, the Petitioners approached this Commission and the Commission, after taking note of the above aspect(s) as well as the substantial progress already made by the Petitioners towards the implementation of the Project, by its order dated 21.4.2024 relaxed the provisions of Regulation 24.6 of the 2022 GNA Regulations and allowed the Petitioners to convert its connectivity grant from the LoA route to Land route, albeit subject to certain conditions including submission of requisite land documents in terms of Regulation 5.8(xi) of the GNA Regulations for full 300 MW connectivity.

15. Whereas, in the instant case, the Petitioners have urged the Commission to exercise its powers under Regulations 41 and 42 of the 2022 GNA Regulations to declare that the submissions of land documents acquired by ASSPL, i.e., the SPV are valid to utilise the connectivity dated 10.5.2022 granted by CTUIL to ASHPL (i.e., Parent Company). Admittedly, both the Petitions sought relief by invoking the provisions of Regulations 41 & 42 of the 2022 GNA Regulations. However, the similarity between them ends here. We are unable to agree with the contention of CTUIL that the present Petition is barred by the principles of Order II Rule 2 inasmuch as the prayers made in the present case are based on the same cause of action. As indicated above, Petition No. 283/MP/2023 was for the conversion of connectivity granted under the LoA/PPA route to the Land route as the underlying PPA, which enabled the Petitioner to utilise the said connectivity came to be terminated on account of force majeure event. Whereas, in the present case, the Petitioners are seeking permission to utilise the land documents acquired by SPV, ASSPL to utilise the connectivity granted to ASHPL. The cause of action in the present case is

associated with the requirements stipulated under the provisions of Regulation 5.8(xi) of the 2022 GNA Regulations and, as such, cannot be considered as one and the same as that involved in Petition No.283/MP/2023.

16. CTUIL has, however, pointed out that in the 4th Meeting of RE Developers dated 17.10.2023, the Petitioners were made aware that as per the 2022 GNA Regulations, LoA/PPA/land documents, etc., should be in the name of the 'Applicant' and for any modification in the same they may approach the Commission. However, despite this, the Petitioners chose not to claim any relaxation relating to the utilisation of land documents executed in the name of the SPV for the connectivity granted to the Parent Company during the pendency of Petition No. 283/MP/2023. Moreover, the Petitioners did not even place the said fact on record before the Commission during the said proceedings.
17. However, the aforesaid submissions of CTUIL cannot be sustained in two folds. Firstly, having already held that seeking permission to utilise the land documents acquired by SPV, ASSPL to utilise the connectivity granted to ASHPL constitutes a separate cause of action, the Petitioners are not restrained from seeking such a relief in a subsequent Petition. Although it would have been preferable if the Petitioners had sought such relief contemporaneously, yet this cannot lead to the present Petition being barred by the principles of Order II Rule 2 of the CPC. Secondly, we also note that in the 8th meeting held with the RE Developers on 14.2.2024, CTUIL had itself indicated that it has taken up the issue(s) as involved in the present case with the Commission and hence, the Petitioners cannot be faulted for not coming up earlier for seeking the relief(s) as prayed for in the present case.
18. In view of the aforesaid observations, the objection of CTUIL that the present Petition is not maintainable in terms of Order II Ruel 2 of CPC is hereby rejected.

Issue No. 2: Whether the Petitioner is entitled to any relief with respect to the submission of land documents and meeting the other compliances in terms of the 2022 GNA Regulations by the ASSPL (SPV of the ASHPL) against the Connectivity granted to ASHPL?

19. As reiterated earlier, in terms of the order dated 21.04.2024 in Petition No. 283/MP/2023, the Petitioners were allowed to convert the connectivity granted under

the LOA/PPA route to the land route under Regulation 5.8(xi) of the 2022 GNA Regulations. Further, the Commission also directed the Petitioner (i) to submit the land documents in terms of Regulation 5.8(xi) of the 2022 GNA Regulations for full 300 MW Connectivity within four weeks, (ii) to commission its project within six (6) months and (iii) to achieve Financial closure and release 10% project cost under equity as required under Regulation 11(A) and 11(B) of the 2022 GNA Regulations, within three months, of the issuance of the order. Relevant excerpt(s) of the Order are as under:

“24. We note that Petitioner has been holding on the Connectivity since May 2022, which is approximately two years. We are also aware that Connectivity is a crucial resource that should be optimally utilized. Keeping in view the MERC’s Order allowing termination of PPA on account of Force majeure event establishes the fact that the termination of the PPA is not attributable to the Petitioner. Further, substantial progress has been made in the execution of the project, which testifies to the seriousness and commitment shown by the petitioner to complete the project. Accordingly, we, in the exercise of our powers under Regulation 41 and Regulation 42 of the GNA Regulations, relax the provisions of Regulation 24.6 and allow the Petitioners to convert its Connectivity grant from the LOA route to the Land route as provided for in Regulation 5.8(xi) of the GNA Regulations, subject to the following conditions:

a. The Petitioner, within four weeks of the issuance of the order, shall submit the Land documents in terms of Regulation 5.8(xi) of the GNA Regulations for full 300 MW Connectivity. Failing which, CTUIL shall revoke the Connectivity granted to the Petitioner.

b. After the termination of the PPA, the SCOD of the project mentioned under the PPA does not hold. Considering that nearly two years have elapsed since the grant of connectivity and the Petitioners have shown that considerable progress has already been made in the implementation of the project and that Petitioners have submitted that they can commission the project by 1.09.2024, we are of the considered view that 6 months from the issuance of this order shall be sufficient time to commission the project. We, accordingly, direct that the project developer shall commission its project within six (6) months of the issuance of this order. Further, the milestones of achieving Financial closure and the release of 10% project cost under equity as required under Regulation 11(A) and 11(B) of the GNA Regulations shall have to be achieved within three months of the issue of this Order. In case of failure of Petitioner(s) to achieve financial closure or the release of 10% of project cost under equity, the connectivity shall be revoked.

.....”

20. Now, the Petitioners *vide* the instant Petition have prayed before the Commission to exercise its “Power to Relax” and “Power to Remove Difficulty” under the GNA Regulations 2022 and declare that the Petitioners fulfil all conditions to utilise its existing connectivity under Regulation 5.8(xi)(b) of the 2022 GNA Regulations 2022 for the project being implemented by ASSPL in light of the Order dated 21.04.2024.

21. We note that Clause (xi) of Regulation 5.8 of the 2022 GNA Regulations provides as under:

“(xi) In case of Applicants which are REGS (other than Hydro generating station or ESS (excluding Pumped Storage Plant (PSP)) the following documents shall be submitted:

(a) Letter of Award (LOA) by, or Power Purchase Agreement (PPA) entered into with, a Renewable Energy Implementing Agency or a distribution licensee or an authorized agency on behalf of distribution licensee consequent to tariff based competitive bidding, as the case may be:

Provided that in case of Applicants being multi-located REGS, the details of locations and capacity at each location, duly certified by the Renewable Energy Implementing Agency or the distribution licensee, as the case may be, shall be submitted.

Or

(b) Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought;

Or

(c) Bank Guarantee of Rs. 10 lakh/ MW in lieu of ownership or lease rights or land use rights of land for 50% of the land required for the capacity for which Connectivity is sought subject to provisions of Regulations 11A and 11B of these regulations.”

As per the above, an applicant can seek connectivity by (i) submitting either the LOA/PPA or (ii) by submitting Registered Title Deed as a proof of Ownership or lease rights or land use rights for 50% of the land required for the capacity for which Connectivity is sought, or (iii) by submitting Bank Guarantee of Rs. 10 lakh/ MW in lieu of ownership or lease rights or land use rights of land for 50% of the land required for the capacity for which Connectivity is sought.

22. Regulation 11A of the 2022 GNA Regulations provides as under:

“11A. Conditions subsequent to be satisfied by the Connectivity Grantee

- (1) An applicant which is REGS (other than Hydro generating station) or ESS (excluding PSP) covered under Regulation 5.8 (xi)(c) of Regulation 5.8 or Renewable power park developer covered under clause (vii)(c) of Regulation 5.8 of these regulations shall submit documents for land in terms of clause (xi)(b) or clause (vii)(b) of Regulation 5.8, as the case may be, within 180 days of issuance of final grant of Connectivity. The Bank Guarantee shall be returned within 7 days of submission of stipulated documents as a proof of Ownership or lease rights or land use rights.*
- (2) An applicant which is REGS (other than Hydro generating station), ESS (excluding PSP) or Renewable power park developer to which final grant of connectivity has been issued, shall submit Auditor's certificate, certifying the release of at least 10% of the project cost including the land acquisition cost through equity within a period of 12 months from the date of issuance of final grant of connectivity.*
- (3) An applicant which is REGS (other than Hydro generating station), ESS (excluding PSP) or Renewable power park developer to which final grant of connectivity has*

been issued, shall have to achieve the financial closure for the capacity of such Connectivity, (a) within a period of 12 months from the date of issuance of final grant of connectivity, if the start date of Connectivity is within 2 years from date of issuance of final grant of connectivity or (b) a period equivalent to 50% time period between issue of final grant of Connectivity and start date of Connectivity, if the start date of Connectivity is more than 2 years from date of issuance of final grant of connectivity:

Provided that such an applicant shall submit proof of Financial Closure of the project (with copy of loan sanction letter or proof of first disbursement of loan amount) or copy of board resolution (if internal funding is planned for 100% of the project cost) to CTU within 15 days of achieving the financial closure.

.....”

As per the above, the applicant to which the final grant of connectivity has been issued is required to release 10% of the project cost through equity and achieve financial closure within the stipulated time.

23. Thus, on a holistic view of Clause (xi) of Regulations 5.8 and 11A of the 2022 GNA Regulations, we note that it is the applicant to whom the final grant of the connectivity has been issued has to meet all compliances for releasing of 10% of the project cost through equity and achieving of financial closure. We observe that in the instant case, connectivity has been granted to the parent company, ASHPL, and the Petitioners are requesting to consider the land documents in the name of its SPV ASSPL, against the said connectivity of the ASHPL.

24. CTUIL has submitted that 2022 GNA Regulations provide that only the Connectivity Applicant shall submit land documents. CTUIL has also submitted that the *proviso* to Regulation 15 of the 2022 GNA Regulations only allows that a parent company may utilize the connectivity granted to a subsidiary and vice-versa, but it does not provide for the utilisation of documents executed in the name of the subsidiary for connectivity granted to the Parent company. CTUIL has submitted that the above position stands clarified in terms of the Order dated 12.05.2024 in Petition No. 9/MP/2024 – ACME Cleantech Solutions Private Limited and another v. CTUIL, wherein it has been observed that the utilization of the documents executed with the Parent Company by its subsidiary to fulfil the conditions under the 2022 GNA Regulations is not allowed in terms of the 2022 GNA Regulations. Contrary to that, the Petitioner submitted that the Order dated 12.5.2024 passed in Petition No. 9/MP/2024 is different than the instant petition, as there is neither a question of change of source of power as per

Clause 5(xiii) of the Detailed Procedure in the present case nor of final grant of connectivity being pending, as ASHPL had been granted final connectivity under the LOA route.

25. We observe that once Petitioner No.1, ASHPL, which is a connectivity grantee wishes to convert from the LOA route to a land route, it shall be covered under Regulation 5.8(xi)(b) of the 2022 GNA Regulations under which an applicant seeking connectivity is required to furnish land documents in its own name. We observe that the 2022 GNA Regulations do not permit an applicant for connectivity to submit documents in the name of its subsidiary or parent to fulfil requirements under the Regulations.
26. We also note that the bidding process allowed the Parent Company, ASHPL, to get the project executed through SPV ASSPL. We have taken note of the submissions of the Petitioner that as per the bidding carried out by the REIA, after the award of the LoA, the bid winner incorporates an SPV for implementation of the proposed project, and thereafter, it is the SPV, so incorporated, which undertakes all the conditions subsequent required for construction and development of the proposed project.
27. With regard to the Commission's Power to Relax and Power to remove difficulty under Regulations 41 and 42 of the 2022 GNA Regulations, we observe that the power of relaxation is exercisable in exceptional circumstances on a case-to-case basis. The power of relaxation cannot be exercised in a manner so as to nullify the relevant provisions of the 2022 GNA Regulations and render them otiose or completely redundant. Relevant provisions of the 2022 GNA Regulations are as follows:

"41. Power to Relax

The Central Commission, for reasons to be recorded in writing, may relax any of the provisions of these regulations on its own motion or on an application made before it by an affected party to remove the hardship arising out of the operation of these regulations."

"42. Power to Remove Difficulty

If any difficulty arises in giving effect to the provisions of these regulations, the Central Commission may, on its own motion or on an application made before it by affected party by order, make such provision not inconsistent with the provisions of the Act or provisions of other regulations specified by the Central Commission, as may appear to be necessary for removing the difficulty in giving effect to the objectives of these regulations."
28. We have taken note of Petitioner's submission that ASSPL has taken several positive steps for furthering the commissioning of the Project, - after acquiring 100% of the land and arranging the required finance as a loan for execution of the project, ASSPL has also awarded the Engineering, Procurement, and Construction (EPC) agreement

for supply and services and have placed orders for major equipment like Power Transformer, and Switchyard, etc. Thus, considering the substantive progress made towards implementation of the project, the approach of the Petitioners, and the policy objectives of promoting renewables, we are of the view that the project in question, which is almost on the verge of commissioning, should be allowed to be commissioned so that the connectivity granted to ASHPL is utilized.

29. Accordingly, we, in the exercise of the powers conferred under Regulations 41 and 42 of the 2022 GNA Regulations, relax the provisions of Regulation 11A and allow ASHPL, which is the connectivity grantee, to submit the documents for fulfilling land requirements under Regulation 5.8(xi)(b) and subsequent milestones required under Regulations 11A and 26 of the 2022 GNA Regulations, in the name of ASSPL, subsidiary of ASHPL, subject to the following conditions:

- a) ASHPL shall submit documents for fulfilling land requirements under Regulation 5.8(xi)(b) of the 2022 GNA Regulations within two weeks of the issuance of this order.
- b) ASHPL shall submit document(s) in support of the release of 10% of the project cost through equity and document(s) in support of achieving Financial Closure for full 300 MW Connectivity, in terms of Regulation 11A of the 2022 GNA Regulations as per the timeline provided in Order 21.4.2024 in Petition No. 283/MP/2024, with a relaxation that such documents in the name of ASSPL shall be considered as valid documents towards fulfilling the requirements of Regulation 11A of the 2022 GNA Regulations.
- c) Petitioners shall commission the project within six (6) months of the issuance of Order dated 21.04.2024 in Petition No. 283/MP/2023.

30. The issue is answered accordingly.

31. Accordingly, Petition No. 192/MP/2024, along with IA No. 44/2024, is disposed of in terms of the above.

Sd/
(Ramesh Babu V)
Member

Sd/
(Arun Goyal)
Member

Sd/
(Jishnu Barua)
Chairperson

