

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 295/MP/2023

Coram:

**Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P.K.Singh, Member**

Date of Order: 13th March, 2024

In the matter of

Petition under section 79 of the Electricity Act, 2003 read with Regulations 41 & 42 of CERC (Connectivity and General Network Access to the Inter-State Transmission System) Regulations, 2022 as amended from time to time, seeking return of the Bank Guarantees from Central Transmission Utility of India Limited, which had been furnished by the Petitioner for grant of Stage-II Connectivity at Fatehgarh-II PS and against corresponding Long Term Access worth Rs 6.5 crore and Rs. 7.5 crore, respectively.

And

In the matter of

Adani Renewable Energy Park Rajasthan Limited,

Adani Corporate House, 4th Floor, South Wing,
Shantigram, S G Highway,
Ahmedabad-382 421, Gujarat

... Petitioner

Vs

1. Central Transmission Utility of India Limited (CTUIL),

1st Floor, Saudamini, Plot No. – 2, Sector-29
Near IFFCO Chowk Metro Station
Gurgaon-122 001, Haryana

2. Power Grid Corporation of India Limited,

Saudamini, Plot No. 2, Sector-29,
Near IFFCO Chowk,
Gurgaon-122001, Haryana

... Respondents

Parties present:

Shri Hemant Singh, Advocate, AREPRL
Shri Chetan Garg, Advocate, AREPRL
Ms. Suparna Srivastava, Advocate, CTUIL
Shri Tushar Mathur, Advocate, CTUIL
Ms. Divya Sharma, Advocate, CTUIL

ORDER

The Petitioner, Adani Renewable Energy Park Rajasthan Limited, has filed the present Petition with the following prayers:

“(a) Admit the present petition;

(b) Direct the Respondent No. 1/ Central Transmission Utility of India Limited to return the Connectivity Bank Guarantee for an amount of Rs. 6.5 Crores, which was furnished by the Petitioner in terms of the Connectivity Agreement;

(c) Direct the Respondent No. 1/ Central Transmission Utility of India Limited to return the Construction Phase Bank Guarantee for an amount of Rs. 7.5 Crores, which was furnished by the Petitioner in terms of the LTA Agreement; and

(d) In the interim, pending disposal of the present case, direct the Respondent No. 1/ CTUIL not to take any coercive steps against the Petitioner; and

(e) Pass any other order as this Hon’ble Commission may deem fit in the facts and circumstances of the present case and in the interest of justice.”

2. During the course of the hearing on 21.2.2024, the learned counsel for the CTUIL submitted that in the present Petition, the Petitioner is seeking a direction to the CTUIL for return of the connectivity and construction Bank Guarantees of Rs. 6.5 crore and Rs. 7.5 crore respectively. However, the CTUIL on 26.10.2023 has already encashed the said Bank Guarantees. Accordingly, the Petitioner is required to file an amended Petition. In response, the learned counsel for the Petitioner sought permission to withdraw the instant Petition with a liberty to approach the Commission with a fresh Petition.

3. In view of the submissions of the learned counsels for the CTUIL and the Petitioner, the Petitioner is permitted to withdraw the present Petition. The filing fees paid in the present Petition shall be adjusted against the Petition to be filed by the

Petitioner in the future. The Petitioner is at liberty to file an appropriate Petition in accordance with law.

4. Accordingly, Petition No. 295/MP/2023 is disposed of as withdrawn.

**SD/-
(P.K.Singh)
Member**

**SD/-
(Arun Goyal)
Member**

**SD/-
(Jishnu Barua)
Chairperson**