

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition (Diary) No. 447/2026 along with IA (Diary) No. 453/2026

Subject : Petition under Sections 79(1)(e), 79(1)(f) and 79(1)(k) of the Electricity Act, 2003 read with Articles 4.5.2 and 11.2.2 and 11.2.5 of the Power Purchase Agreement dated 14.10.2024 seeking extension of the Scheduled Commencement of Supply Date on account of delays beyond the control of the Petitioner, protection from levy of liquidated damages, termination arising from delay in commencement of supply, continuation of the applicable ISTS transmission charges/losses waiver benefits, and consequential reliefs.

Petitioner : Avaada Suryapower Private Limited (ASPL)

Respondents : NTPC Limited and Ors.

Date of Hearing : **24.6.2026**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Abhishek Kumar, Advocate, ASPL
Shri Nived Veerapaneni, Advocate, ASPL
Ms. Shubham Mudgil, Advocate, ASPL
Shri Aditya Pratap Singh, Advocate, ASPL
Shri Ashish Anand, Advocate, ASPL

Record of Proceedings

The learned counsel for the Petitioner submitted that the present Petition has been filed, inter alia, seeking an extension of the Scheduled Commencement of Supply Date (SCSD) in respect of the Petitioner's 300 MW Solar Power Project on account of factors beyond the control of the Petitioner, including regulatory delays and delay in the readiness of the evacuation infrastructure. The learned counsel further submitted that the SCSD of the Petitioner's project is 30.6.2026. However, despite the occurrence of delays attributable to factors beyond the control of the Petitioner, as expressly contemplated under the Power Purchase Agreement (PPA) dated 14.10.2024 executed between the Petitioner and Respondent No. 1, NTPC, Respondent, NTPC and Respondent No. 2, MSEDCL, have declined to grant an extension of the SCSD to the Petitioner. The learned counsel pointed out that in terms of Article 4.5.2 of the PPA, where after grant of connectivity, there is a delay in operationalization of GNA by CTUIL and/or delay in readiness of the ISTS sub-station at the Delivery Point attributable to the CTU/transmission licensee and beyond the control of the SPG, the SCSD shall stand revised to a date 30 days subsequent to the readiness of the Delivery Point and power evacuation infrastructure and/or operationalization of GNA. In the Petitioner's case, the expected commissioning/readiness timeline of the common transmission system required for operationalisation of its connectivity has been revised to June 2027. The learned counsel also submitted that in similar matters, namely Petition No. 188/MP/2026 and the connected



batch matters, the Commission, *vide* the Record of Proceedings dated 6.5.2026, has directed the parties to maintain the *status quo*. Accordingly, the learned counsel prayed that a similar direction may be issued by the Commission in the present matter as well.

2. After hearing the learned counsels for the Petitioners, the Commission directed as under:

(a) Admit and issue notice to the Respondents.

(b) The Respondents are to file their respective replies to the Petition as well as IA, if any, within four days, with a copy to the Petitioner, who may file their rejoinder(s), if any, within three days thereafter.

3. Considering the submissions made by the learned counsel for the Petitioner and taking note of the documents placed on record, the Commission directed the parties to maintain the status quo till the next date of hearing.

4. The Petition, along with IA, will be listed for hearing on **9.7.2026**.

By order of the Commission
SD/-
(T.D. Pant)
Joint Chief (Law)