

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

IA No. 9/2026 in Petition No. 809/MP/2025

Subject : Interlocutory application under Section 94(2) of the Electricity Act, 2003 read with Regulation 26 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 seeking interim directions.

Petitioner : Airpower Windfarms Private Limited (AWPL).

Respondent : Central Transmission Utility of India Limited (CTUIL).

Date of Hearing : **15.1.2026**

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

Parties Present : Ms. Divya Chaturvedi, Advocate, AWPL
Shri Saransh Shaw, Advocate, AWPL
Shri Shubham Arya, Advocate, CTUIL
Ms. Reeha Singh, Advocate, CTUIL
Shri Swapnil Verma, CTUIL
Shri Ranjeet S Rajput, CTUIL

Record of Proceedings

At the outset, the learned counsel for the Petitioner submitted that the present Petition was filed along with an application seeking interim relief, being I.A. No. 85 of 2025, wherein the Petitioner sought, *inter alia*, the setting aside of the Respondent, CTUIL's letter dated 3.9.2025, by which CTUIL revoked the 175 MW connectivity granted to the Petitioner's Wind Energy Project at Jam Khambhaliya, Gujarat, and further sought a direction restraining the Respondent, CTUIL from encashing the Bank Guarantees furnished by the Petitioner. Learned counsel further submitted that pursuant to the aforesaid application, an order of *status quo* was in operation until further order and the Petition was reserved for final order on 11.11.2025. Despite the subsistence of the said *status-quo* order, and in contravention thereof as well as contrary to its own submissions made on affidavit in the present proceedings, CTUIL, on 2.1.2026, without any reasonable justification or regulatory basis, proceeded to encash the Bank Guarantee No. 15300100016715 for an amount of Rs. 17.50 crore, furnished by the Petitioner under Regulation 5.8 of the GNA Regulations, 2022. Learned counsel further submitted that on 2.1.2026, consequent upon the encashment of the aforesaid Bank Guarantee of Rs. 17.50 crore by CTUIL, and having no alternative remedy, the Petitioner remitted a sum of Rs.17.50 crore directly into CTUIL's bank account and simultaneously requested CTUIL to refund the Bank Guarantee amount to the bank with which the said Bank Guarantee was maintained. Learned counsel fairly submitted that, pursuant to the aforesaid communications



issued by the Petitioner, CTUIL, on 3.1.2026, returned the amount of Rs. 17.50 crore to Axis Bank, in view of the corresponding transfer of Rs.17.50 crore made by the Petitioner directly to CTUIL. Learned counsel also apprised the Commission that the Petitioner's Project is expected to achieve commissioning in the first week of February 2026 and requested that the Commission issue the order in the present matter immediately. Accordingly, the Petitioner has filed IA No. 9/2026 seeking directions upon the Respondent, CTUIL, to refund the amount already submitted in lieu of encashment of BGs and not to take any coercive action against the Petitioner.

2. Learned counsel for the Respondent, CTUIL, accepted the notice and sought time to file its reply to the IA.

3. Considering the above, the Commission permitted the Respondent to file its reply to the IA in the matter on or before 19.1.2026, with a copy to the Petitioner, who may file its Rejoinder to the IA, if any, by 20.1.2026.

4. The Commission directed to list the matter for hearing on **21.1.2026**.

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