

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 279/MP/2022
Petition No. 284/MP/2022**

**Coram:
Shri Jishnu Barua, Chairperson
Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri P.K. Singh, Member**

Date of Order: 8th August, 2023

Petition No. 279/MP/2022

In the matter of

Petition under Section 79(1)(a) & (f) of the Electricity Act, 2003 read with Regulation 111 of the CERC (Conduct of Business) Regulations, 1999 and Article 8 of the Power Purchase Agreement dated 30.1.2021 executed between the parties.

**And
In the matter of**

NTPC Renewable Energy Limited
NTPC Bhawan, SCOPE Complex, 7,
Institutional Area, Lodhi Road Delhi
New Delhi – 110003

..Petitioner

VERSUS

Gujarat Urja Vikas Nigam Limited,
Sardar Patel Vidyut Bhavan, Race Course,
Vadodara, Gujarat- 390007

...Respondent

Petition No. 284/MP/2022

In the matter of

Petition under Section 79(1)(a) & (f) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Article 8 of the Power Purchase Agreement dated 30.1.2021 executed between the parties.

**And
In the matter of**

NTPC Renewable Energy Limited
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Institutional Area, Lodhi Road Delhi
New Delhi – 110003

..Petitioner

VERSUS

Gujarat Urja Vikas Nigam Limited
Sardar Patel Vidyut Bhavan, Race Course,
Vadodara, Gujarat- 390007

...Respondent

Parties present:

Shri Abhishek Nangia, Advocate, NREPL

ORDER

The Petitioner, NTPC Renewable Energy Limited Limited, has filed the Petition (Petition No. 279/MP/2022) with the following prayers:

“(a) Admit the present Petition;

(b) Declare the aforesaid events as force majeure in terms of Article 8 of the PPA;

(c) Grant an extension of 13 months and 13 days in achieving SCOD for the 200 MW Solar Power Project till 25.11.2023 on account of the above Force Majeure events;

(d) Direct GUVNL not to take any coercive steps against the Petitioner till the pendency of the Petition; and

(e) Pass any such further orders(s) as this Commission may deem fit and proper in facts and circumstances of the present case.”

2. The Petitioner, NTPC Renewable Energy Limited Limited, has filed the Petition (Petition No. 284/MP/2022) with the following prayers:

“(a) Admit the present Petition;

(b) Declare the aforesaid events as force majeure in terms of Article 8 of the PPA;

(c) Grant an extension of 15 months in achieving SCOD for the 150

MW Solar Power Project till 23.03.2024 on account of the above Force Majeure events;

(d) Direct GUVNL not to take any coercive steps against the Petitioner till the pendency of the Petition; and

(e) Pass any such further orders(s) as this Hon'ble Commission may deem fit and proper in facts and circumstances of the present case."

3. The matters were mentioned by the learned counsel for the Petitioner on 31.7.2023 and submitted that based on the decision of the Government of Gujarat. the Respondent, Gujarat Urja Vikas Nigam Limited (GUVNL), vide its letter dated 11.7.2023 has granted an extension of Scheduled Commercial Operation (for both the projects) till 31.3.2024. He further submitted that pursuant to the grant of an extension of SCOD by GUVNL, the grievance of the Petitioner stands resolved. Therefore, the prayers in the Petitions have become infructuous. Accordingly, the learned counsel for the Petitioner sought permission to withdraw the present Petitions.

4. Considering the submission of the learned counsel for the Petitioner, the Petitioner is permitted to withdraw the present Petitions.

5. Accordingly, the Petition No. 279/MP/2022 and Petition No. 284/MP/2022 are disposed of as withdrawn.

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

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

**sd/-
(I.S. Jha)
Member**

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