

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.95/MP/2022

Coram:

Shri Jishnu Barua, Chairperson

Shri Arun Goyal, Member

Shri P.K.Singh, Member

Date of Order: 31st October, 2023

In the matter of

Petition under Section 79 of the Electricity Act, 2003 along with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking issuance of appropriate orders/direction to Solar Energy Corporation of India Limited pursuant to the issues arising out of the Power Purchase Agreements dated 27.12.2017 and seeking consequent relief for releasing the Bank Guarantees issued by the Petitioners in favour of Solar Energy Corporation of India Limited

And

In the matter of

1. Inox Green Energy Services Pvt. Ltd.
Inox Towers, Plot No. 17,
Sector-16A, Film City,
Noida- 201301.

2. Haroda Wind Energy Pvt. Ltd.
3. Khatiyu Wind Energy Pvt. Ltd.
4. Ravapar Wind Energy Pvt. Ltd.
5. Vigodi Wind Energy Pvt Ltd.
301, ABS Tower, Old Padra Road,
Vadodara-39007, Gujarat

...Petitioners

Versus

1. **Solar Energy Corporation of India Limited,**
6th Floor, Plate – B, NBCC Office Block,
Tower – 2, East Kidwai Nagar,
New Delhi – 110023

2. **Harayana Power Purchase Centre,**
Shakti Bhawan, Sector- 6,
Panchkula, Haryana

3. **Uttar Pradesh Power Corporation Limited,**
Shakti Bhawan, 14 Ashok Marg,
Lucknow, Uttar Pradesh

..Respondents

Parties present:

Shri Mayank, Advocate for the Petitioner
Ms. Anushree Bardhan, Advocate for SECI
Ms. Surbhi Kapoor, Advocate for SECI

ORDER

The Petitioners, Inox Green Energy Services Private Limited, Haroda Wind Energy Private Limited, Khatiyu Wind Energy Private Limited, Ravapar Wind Energy Private Limited, and Vigoda Wind Energy Private Limited have jointly filed the present Petition with the following prayers:

“(a) Declare that the execution of the Project awarded to the Petitioners vide Letter of Awards dated 03.11.2017, as well as the subsequent Power Purchase Agreements dated 27.12.2017 as commercially and physically impossible on account of the various force majeure events enumerated above and therefore ought to be terminated;

(b) Issue appropriate directions that the Petitioner be relieved from performing its obligations under the Power Purchase Agreements (PPAs) on the ground of force majeure, without any financial implication;

(c) Direct Respondent to immediately release the Bank Guarantees furnished by the Petitioners pursuant to the Letter of Awards dated 3.11.2017, as well as the subsequent Power Purchase Agreements dated 27.12.2017;

(d) Pass such other or further orders as the Hon’ble Commission may deem fit and proper in the facts and circumstances of the case.”

2. The matter was called for a hearing on 25.10.2023. During the course of the hearing, learned counsel for the Petitioner sought permission to withdraw the present Petition. Learned counsel for the Petitioner submitted that the Petitioner will file an affidavit in this regard. Learned counsel for the Respondent, Solar Power Corporation of India Limited, submitted that no notice has been served on the SECI in this regard. However, SECI has no objection to the withdrawal of the Petition.

4. Considering the submissions of the learned counsels for the parties, the Petitioner is permitted to withdraw the present Petition.

5. Accordingly, the Petition No. 95/MP/2022 is disposed of as withdrawn.

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

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

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