

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 326/MP/2025

Coram:

Shri Jishnu Barua, Chairperson

Shri Ramesh Babu V., Member

Shri Harish Dudani, Member

Shri Ravinder Singh Dhillon, Member

Date of Order: 23rd March, 2025

In the matter of

Petition under Section 79 of the Electricity Act, 2003 read with Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 invoking the adjudicatory, general regulatory and inherent jurisdiction of this Commission for seeking directions against the Respondents for release deficit payment along with Late Payment Surcharge for the Change in Law compensation allowed by this Commission vide order Dated 30.06.2023 in Petition No. 72/MP/2020.

And

In the matter of

**Adani Solar Energy Jodhpur (Four) Private Limited
(Formerly known as SB Energy Three Private Limited)**

Adani corporate house,
Shantigram, near Vaishno Devi Circle,
S.G. Highway, Khodiyar,
Ahmedabad – 382 421

...Petitioner

Versus

1.Solar Energy Corporation of India,

First Floor, D-3, A Wing,
Prius Platinum Building,
District Centre, Saket,
New Delhi – 110 017

2. Rajasthan Urja Vikas Nigam Limited,

Vidyut Bhawan, Janpath,
Jyoti Nagar,
Jaipur- 302 005

.. Respondents

ORDER

The Petitioner, Adani Energy Jodhpur (Four) Private Limited (hereinafter referred to as “the Petitioner”), has filed the present Petition along with the following prayers:

“(a) Allow the present petition;

(b) Hold and declare that the Petitioner is entitled to receive the entire reconciled amounts incurred additionally on account of introduction and imposition of GST Laws and SGD Laws accepted and acknowledged by Solar Energy Corporation of India Limited and as a consequence thereof, issue appropriate order(s) / direction(s) to direct Solar Energy Corporation of India Limited to immediately make good the deficit in payments received by the Petitioner as detailed in the petition above, towards Change in Law Compensation on account of GST Laws and SGD Laws that has been accepted and acknowledged by the Respondent(s) along with the applicable Late Payment Surcharge;

(c) Hold and declare that the Petitioner is further entitled to receive the Late Payment Surcharge computed on compounding basis on the total outstanding (including LPS and Principal) whatever remained unpaid from the original due date till the date of payment in full, following the principle of adjustment the payment received against the LPS (if any) first and then with principal;

(d) Issue appropriate order(s) / direction(s) to Solar Energy Corporation of India Limited to make immediate payment i.e., within 7 days from the date of the Order of this Hon’ble Commission, outstanding principal as well as LPS up to the date of the order in present case as per prayer (b) & (c) and in further Late Payment Surcharge in case of further delay;

(e) Issue appropriate order(s) / direction(s) that while Solar Energy Corporation of India Limited shall have an independent financial obligation to make afore mentioned payments to the Petitioner, though it shall also have the right to get same reimbursed from Rajasthan Urja Vikas Nigam Limited.”

2. The Petitioner, vide its affidavit dated 19.3.2025, has sought permission to withdraw the present Petition, with a liberty to file a fresh Petition incorporating certain subsequent events and other material facts that were not properly addressed in the captioned Petition. The Petitioner has further submitted that this would allow the Petitioner to ensure that the fresh Petition is more comprehensive, thereby facilitating

a better understanding and effective adjudication of the matter by the Commission. The Petitioner has submitted that since the present Petition is yet to be listed for the hearing, the withdrawal of the Petition at this stage will not cause any prejudice to any party involved in the matter. The Petitioner has prayed to adjust the filing fees paid for the present Petition so that the same may be utilized for the fresh Petition to be filed on the subject.

3. Considering the submissions made by the Petitioner, the Petitioner is permitted to withdraw the present Petition with the liberty to approach the Commission in accordance with the law. The filing fees paid in the Present Petition shall be adjusted against the Petition to be filed by the Petitioner on the subject. Accordingly, the present Petition is disposed of as withdrawn.

6. Petition No. 326/MP/2025 is disposed of in terms of the above.

Sd/- (Ravinder Singh Dhillon) Member	sd/- (Harish Dudani) Member	sd/- (Ramesh Babu V.) Member	sd/- (Jishnu Barua) Chairperson
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