

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION  
GANDHINAGAR**

**Petition No. 2221 of 2023.**

**In the Matter of:**

**Petition under Section 86(1)(f) of the Electricity Act, 2003 read with Regulation 45 of Gujarat Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2011 and Regulations 80 and 85 of Gujarat Electricity Regulatory Commission (Conduct of Business) Regulations, 2004 inter alia seeking appropriate reliefs.**

**And**

**IA No. 28 of 2023 in Petition No. 2221 of 2023.**

**In the Matter of:**

**Interlocutory Application seeking ad interim ex-parte interim relief.**

**And**

**IA No. 30 of 2023 in Petition No. 2221 of 2023.**

**In the Matter of:**

**Interlocutory Application seeking amendment of Petition No. 2221 of 2023.**

Petitioner/Applicant : Project Twelve Renewables Power Pvt. Limited  
S 2904, 29<sup>th</sup> Floor, World Trade Centre  
Brigade Gateway, Dr. Rajkumar Road  
Malleswaram, Rajajinagar,  
Bengaluru- 560055, Karnataka.

Represented By : Ld. Adv. Ms. Akanksha Tanvi

V/s.

Respondent : Gujarat Energy Transmission Corporation Limited  
Sardar Patel Vidyut Bhavan,  
Race Course Circle, Vadodara-390007.

Represented By : Ld. Adv. Ms. Ranjitha Ramachandran alongwith Mr. S.K. Nair and Mr. Dipak Patel

**CORAM:**

**Anil Mukim, Chairman**  
**Mehul M. Gandhi, Member**  
**S. R. Pandey, Member**

**Date: 27/05/2024.**

**ORDER**

1. The matter was kept for hearing on 23.02.2024.
2. The present Petition has been filed by the Applicant/Petitioner seeking the following prayers as under:
  - (i) *Condone the inadvertent delay of 9 days on part of the Petitioner (i.e., from 22.04.2023 till 01.05.2023) to submit the Connection Agreement to the Respondent in accordance with Clause 9.7 of the Detailed Procedure for "Grant of Connectivity to Projects based on Renewable Sources to Intra-State Transmission System."*
  - (ii) *Consequently, direct the Respondent to withdraw its letter dated 31.05.2023 bearing ref. no. GETCO/R&C/EE-C/1788 and restore the Stage-II connectivity granted to the Petitioner by way of letter dated 16.02.2023 bearing no. GETCO/R&C/STAGE2000023.*
  - (iii) *Consequently, also direct the Respondent to take all necessary steps for effective implementation of the Stage-II connectivity granted to the Petitioner for its 140 MW wind power project by way of letter dated 16.02.2023 bearing no. GETCO/R&C/STAGE2000023, including but not limited to execution of Connection Agreement with the Petitioner.*
  - (iv) *In the alternative to prayers (i)-(iii) above, direct the Respondent to allow the Petitioner's Stage-II connectivity application dated 31.05.2023 for the 140 MW wind power project to the Charkha substation, while taking into consideration the steps taken by the Petitioner in relation to the Stage-II connectivity granted earlier vide letter dated 16.02.2023 bearing no. GETCO/R&C/STAGE2000023, including but not limited to regarding*

*submission of the bank guarantee dated 02.01.2023 bearing no. PBIG00912300014 of Rs. 7 Crore and deposit of the estimate amount of Rs. 3,07,46,107.90/-.*

*(v) Allow the Petitioner to make amendments and/or modifications in the prayer(s) sought in the present petition in the interest of justice; and*

*(vi) Grant such other order(s) as this Hon'ble Commission may consider appropriate in the present case.*

3. The Applicant/Petitioner filed IA being IA No. 28 of 2023 in the present Petition seeking the following prayers as under:

*(i) Grant ad-interim ex-parte relief directing the Respondent to maintain status quo with respect to the available capacity of 140 MW at the Charkha Substation.*

*(ii) Stay the operation of the Respondent's letter dated 31.05.2023 bearing ref. no. GETCO/R&C/EE-C/1788; and*

*(iii) Grant such other order(s) as this Hon'ble Commission may consider appropriate in the present case.*

4. The Applicant/Petitioner also filed another IA being IA No. 30 of 2023 seeking amendment of the present Petition in terms of the directives of the Commission vide Daily Order dated 11.08.2023 in the present matter.

5. During the hearing, Ld. Adv. Ms. Akanksha Tanvi, appearing on behalf of the Applicant/Petitioner, submitted that the aforesaid Petition was filed for seeking either condonation of delay of 9 days in submission of the signed connection agreement as per Clause 9.7 of the Detailed Procedure for 'Grant of Connectivity to Projects based on Renewable Sources to Intra-State Transmission System' issued by the Commission and consequential reliefs thereto or to issue direction to GETCO to allow the Petitioner's fresh connectivity application dated 31.05.2023 for stage - II connectivity while taking into consideration the steps taken by the Petitioner in relation to the earlier granted Stage - II connectivity dated 16.02.2023. It is also submitted that the Respondent GETCO vide letters dated 30.11.2023 granted Stage - I & Stage - II connectivity to the Petitioner. However, after filing of above matter and during pendency of proceedings

thereunder, the Petitioner has filed the submissions along with affidavit dated 15.12.2023 seeking permission for withdrawing the Petition.

6. Ld. Adv. Ms. Ranjitha Ramachandran, appearing on behalf of the Respondent GETCO, submitted that the Respondent GETCO has also filed the letter dated 09.01.2024 stating that the Commission vide its Daily Order dated 11.08.2023 directed for filing of various information and documents but prior to finalization of the aforesaid details, the Petitioner had applied for the connectivity on 01.10.2023 in terms of the available capacity and the same was granted on 30.11.2023 by GETCO. It is also submitted that GETCO has received an affidavit dated 15.12.2023 from the Petitioner on 16.12.2023 seeking permission of the Commission to withdraw the present Petition. Therefore, as there is no adjudication necessary in the present matter, GETCO has not filed the details as directed by the Commission in the Daily Order dated 11.08.2023 in the present matter. It is further submitted that she has no objection to unconditional withdrawal of Petition filed by the Petitioner.
7. We note that the Petitioner has vide Affidavit dated 15.12.2023 prayed to permit withdrawal of Petition No. 2221 of 2023. During the hearing on 23.02.2024, Ld. counsel on behalf of the Petitioner also requested that the Petitioner may be allowed to withdraw the aforesaid matter. We have taken the aforesaid affidavit dated 15.12.2023 of the Petitioner and letter dated 09.01.2024 of GETCO on records. Accordingly, with consideration of same, we decide to allow withdrawal of Petition No. 2221 of 2023 alongwith IAs being IA No's. 28/2023 & 30 of 2023.
8. In view of the above, this Petition alongwith IAs filed therein, stand disposed of as withdrawn by the Petitioner.

**Sd/-**  
**[S. R. Pandey]**  
**Member**

**Sd/-**  
**[Mehul M. Gandhi]**  
**Member**

**Sd/-**  
**[Anil Mukim]**  
**Chairman**

Place: Gandhinagar.  
Date: 27/05/2024.