

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Review Petition No. 1855/2020.

In the Matter of:

Petition under Section 94 (1) (f) of the Electricity Act, 2003 read with Regulation 72 of the Gujarat Electricity Regulatory commission (conduct of Business) Regulations, 2004 for review of Order dated 16.12.2019 in Petition No. 1821 of 2019.

Petitioner : Shri Kirtikumar Nagindas Shah
408, Nishal Shopping Centre, Pal, Surat, Gujarat.

Represented by : Shri Kirtikumar N. Shah

V/s.

Respondent No 1: Gujarat Urja Vikas Nigam Limited,
Sardar Patel Vidyut Bhavan, Race Course Circle,
Vadodara - 390007.

Represented By : Shri A.N. Khambhata and Shri V.T. Patel

CORAM:

**Shri Anand Kumar, Chairman
Shri Mehul M. Gandhi, Member
Shri S. R. Pandey, Member**

Date: 20/01/2021.

ORDER

1) The present petition has been filed by the Petitioner seeking following reliefs:

(a) To admit the review petition;

- (b) To declare the approval of purchase of surplus energy available from the solar rooftop installed under the Surya Urja Rooftop Yojana (SURYA-Gujarat) at Rs. 2.25 per unit is illegal and requested to withdraw the said order
- 2) The present Petition is filed under Section 94 (1) (f) of the Electricity Act, 2003 read with Regulation 72 of the Gujarat Electricity Regulatory Commission (Conduct of Business) Regulations, 2004 for review of Order dated 16.12.2019 passed by the Commission in Petition No. 1821 of 2019 earlier filed by GUVNL alongwith its four subsidiary distribution licensees under Section 86 and other applicable provisions of the Electricity Act, 2003 for approval of rate of Rs. 2.25 per unit for purchase of surplus power from Solar Rooftop Projects by Distribution Licensees set up under Surya Urja Rooftop Yojana (SURYA – Gujarat) notified by Government of Gujarat vide GR No. SLR-11/2015/401/B1 dated 05.08.2019 and GR dated 07.09.2019.
 - 3) The present matter was listed for hearing on 20.01.2021 through virtual hearing by Video Conferencing and intimation regarding date of hearing to the Petitioner and the Respondent was conveyed vide letter dated 18.01.2021.
 - 4) During the hearing today, Shri Kirtikumar Shah, the Petitioner submitted that the Commission may allow withdrawal of present Petition as per affidavit dated 15.09.2020 wherein the Petitioner sought permission to allow withdrawal of petition since the applicability of the tariff for surplus energy from Rooftop Solar Projects is already clarified in various Orders subsequently passed by the Commission. Therefore, he submitted that in view of the various Orders of this Commission, permission to withdraw the present petition be granted by the Commission.
 - 5) Shri V.T. Patel, on behalf of the Respondent GUVNL, submitted that since the Petitioner wants to unconditionally withdraw the present petition as stated above and has also filed an affidavit dated 15.09.2020 in this regard, the Respondent GUVNL has no objection to withdrawal of the petition by the Petitioner .
 - 6) We have considered the submissions made by the parties. We note that the Petitioner vide its affidavit dated 15.09.2020 and through email dated 20.01.2021 has requested for

withdrawal of the present petition as the Petitioner is not inclined to pursue the subject Petition. We also note that the Petitioner also sought permission of the Commission for withdrawal of the petition in today's hearing and that the Respondent has no objection to same since the Petitioner is seeking unconditional withdrawal without any reservations.

- 7) As noted supra since the Petitioner is seeking withdrawal of the present Petition, we, therefore, allow the request of the Petitioner to withdraw the present Petition.
- 8) With this, the present Petition stands disposed of as withdrawn by the Petitioner and disposed of accordingly.
- 9) We order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Sd/-
[Anand Kumar]
Chairman

Place: Gandhinagar.

Date: 20/01/2021.