

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION
BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

**Case No. HERC/ PRO 6 of 2021
Case No. HERC/ PRO 7 of 2021
Date of Hearing : 23.06.2021
Date of Order : 23.06.2021**

IN THE MATTER OF

Petition under regulation 65 of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 seeking approval of changes made to certain clauses of the PPA approved by Hon'ble Commission vide order dated 11.09.2020 passed in HERC/ PRO 25 of 2017 (Case no. HERC/ PRO 6 of 2021).

And

Petition under regulation 65 of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 seeking approval of changes made to certain clauses of the PPA approved by Hon'ble Commission vide order dated 11.09.2020 passed in HERC/ PRO 26 of 2017(Case no. HERC/ PRO 7 of 2021).

Petitioner

Haryana Power Purchase Centre (HPPC), Panchkula

Respondent

M/s. Shiga Energy Pvt. Ltd. (Case no. HERC/ PRO 6 of 2021).

M/s. Dans Energy Pvt. Ltd. (Case no. HERC/ PRO 7 of 2021).

Present (in virtual Court)

Shri Sameer Malik, Advocate for HPPC

QUORUM

**Shri R.K. Pachnanda
Shri Naresh Sardana**

**Chairman
Member**

ORDER

1. The cases were heard as scheduled on 23.06.2021, through virtual court.
2. In PRO 6 of 2021, the present petition has been filed by the petitioner herein with a prayer to grant approval to the proposed changes in Clause 3.3.3 and 7.12 of the PPA to the extent mentioned in the petition. On similar terms, in PRO 7 of 2021, the petition has been filed by the petitioner with a prayer to grant approval to the proposed changes in Clause 3.3.3, 7.12 and 9.1.2 of the PPA to the extent mentioned in the petition.

3. It has been informed by the petitioner vide Memo no. Ch-93/CE/HPPC/SE/C&R-I/PPA-147 dated 26.05.2021 that they have exercised their rights under Clause 3.3.2 of the signed PPA and decided to exit from the present agreement. This fact was also brought to the notice of the Commission by Sh. Samir Malik, Ld. advocate for the petitioner.
4. In view of exercising the option under the Exit Clause by HPPC, the Commission is of the considered view that the Power Purchase Agreement dated 11.09.2020, as approved by the Commission, has been rendered null and void. Once the agreement has become null and void, nothing survives for the consideration of the Commission. Therefore, the present petition(s) is dismissed being infructuous as also prayed for by the petitioner herein and is accordingly disposed of.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 23rd June, 2021.

Date: 23.06.2021
Place: Panchkula

(Naresh Sardana)
Member

(R.K. Pachnanda)
Chairman

HEERC