

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 201/MP/2022

Coram:

**Shri Jishnu Barua, Chairperson
Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri P.K.Singh, Member**

Date of Order: 30th May, 2023

In the matter of

Petition under Sections 79 of the Electricity Act, 2003, read-with Article 4.5(a) of the Power Purchase Agreements (PPA) dated 14.02.2020 executed between the Petitioner and Solar Energy Corporation of India Limited (SECI) for supply of 180 MW and 150 MW respectively, read-with the back-to-back Power Sale Agreement (PSA) dated 5.2.2020 executed between SECI and Bihar State Power (Holding) Company Limited seeking extension of Scheduled Commercial Operation Date (SCOD).

And

In the matter of

Adani Solar Energy RJ Two Private Limited,
(Formerly known as SBE Renewables
Sixteen Projects Private Limited)
Adani Corporate House, Shantigram,
Nr. Vaishno Devi Circle,
S. G. Highway, Khodiyar,
Ahmedabad - 382 421.

..Petitioner

VERSUS

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

2. Bihar State Power (Holding) Company Limited,
1st Floor, Vidyut Bhawan, Bailey Road,
Patna, Bihar- 800021

3. North Bihar Power Distribution Company Limited,
3rd Floor and 2nd Floor Vidyut Bhawan, Bailey Road,
Patna-800001

4. South Bihar Power Distribution Company Limited,
3rd Floor and 2nd Floor Vidyut Bhawan, Bailey Road,
Patna-800001, Bihar

..Respondents

Parties present:

Shri Hemant Singh, Advocate for the Petitioner
Shri Lakshyajit Singh, Advocate for the Petitioner
Mis. Lavanya Parmar, Advocate for the Petitioner
Shri Navin Prakash, Advocate for the Respondents 2 to 4
Ms. Tanya Sareen, Advocate for SECI
Ms. Anushree Bardhan, Advocate for SECI
Ms. Surbhi Kapoor, Advocate for SECI
Ms. Srishti Khindari, Advocate for SECI

ORDER

The Petitioner, Adani Solar Energy RJ Two Private Limited, has filed the present Petition with the following prayers:

“(a) Grant extension of Scheduled Commercial Operation Date (SCOD) to the Petitioner, till 18.08.2023, in light of the submissions made in the present petition;

(b) Direct the Respondent No. 1/ SECI to issue a formal letter to the Petitioner for extension of SCOD, till 18.08.2023;

(c) In the interim, direct the Respondents not to take any coercive actions against the Petitioner, in any manner whatsoever, till the pendency of the present petition; and

(d) pass any other order as this Commission may deem fit in the facts and circumstances of the present case and in the interest of justice.”

2. The matter was called for hearing on 29.5.2023. During the course of the hearing, learned counsel for the Petitioner submitted that the Respondent, Solar Energy Corporation of India Limited (SECI), vide its letter dated 26.4.2023 has granted extension of Scheduled Commercial Operation Date (for both 180 MW PPA and 150 MW PPA) till 31.3.2024. He further submitted that pursuant to the grant of extension of SCOD by SECI, the grievance of the Petitioner stands resolved. Accordingly, the learned counsel for the Petitioner sought permission to withdraw the present Petition.

3. Learned counsel for the Respondents No 2 to 4, Bihar State Power (Holding) Company Limited, North Bihar Power Distribution Company Limited and South Bihar

Power Distribution Company Limited submitted that the Respondents have no objection to withdrawal of the Petition by the Petitioner without prejudice to their rights in the matter. Learned counsel for the Respondent, Solar Power Corporation of India Limited, submitted that SECI has no objection in this regard.

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. 201/MP/2022 is disposed of as withdrawn.

Sd/-
(P.K.Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(I.S. Jha)
Member

sd/-
(Jishnu Barua)
Chairperson