

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION  
GANDHINAGAR**

**Petition No. 2362 of 2024.**

**In the Matter of:**

**Petition under Section 86 (1) (f) read with Section 86 (1) (b) of the Electricity Act, 2003 seeking extension of Scheduled Commercial Operation Date under Power Purchase Agreement with GUVNL on account of force majeure events hindering the development of 120 MW Solar PV Power Project in Banaskantha and Patan, Gujarat.**

Petitioner : Solarcraft Power India 2 Pvt. Limited  
Represented By : Ld. Advocates Mr. Deep Rao and Mr. Ashwin  
Ramanathan  
V/s.  
Respondent : Gujarat Urja Vikas Nigam Limited  
Represented By : Ld. Adv. Mr. Utkarsh Singh alongwith M.K. Jani

**CORAM:**

**Mehul M. Gandhi, Member  
S. R. Pandey, Member**

**Date: 12/06/2025.**

**DAILY ORDER**

1. The matter was kept for hearing on 29.05.2025.
2. The present Petition has been filed by the Petitioner seeking the following prayers as under:
  - (i) *Declare and direct that the Scheduled Commercial Operation Date of the Project under the PPA stands extended upto the actual date of commission of the project or 177 days, whichever is earlier, under Article 3.3 read with Article 8 of the PPA.*
  - (ii) *Declare that the Respondent has not suffered any loss or damage on account of the delay in the commissioning of the project.*

- (iii) *Declare that the Petitioner is not liable for the payment of any amounts to the Respondent for the delay in commissioning of the project, toward damages or penalty or otherwise.*
- (iv) *Restrain the Respondent from recovering any amounts from the Petitioner for the delay in commissioning of the project.*
- (v) *Restrain the Respondent from taking any coercive action against the Petitioner, during the pendency of the present Petition*
- (vi) *Pass an ex-parte, ad interim and interim orders in terms of prayers (a) to (e).*
- (vii) *Pass such other order or orders which are deemed fit and proper in the facts and circumstances of the case.*
3. During the hearing on 29.05.2025, Ld. Adv. Mr. Deep Rao, appearing on behalf of the Petitioner, at the outset, submitted that during the pendency of the present Petition, the whole project of the Petitioner was commissioned within a few days of the SCOD. He submitted that the Petitioner now seeking permission of the Commission for withdrawing the Petition as the Petitioner is no longer willing to pursue the present Petition. He submitted that the Petitioner has also filed an affidavit dated 02.05.2025 in this regard. Accordingly, it is requested to the Commission to permit withdrawal of Petition.
4. Ld. Adv. Mr. Utkarsh Singh, appearing on behalf of the Respondent GUVNL, submitted that the Respondent has no objection, if there is unconditional withdrawal of present Petition by the Petitioner. In response, the counsel for the Petitioner submitted that there is unconditional withdrawal of present Petition by the Petitioner.
5. We note that during the hearing on 29.05.2025, the representative appearing on behalf of the Petitioner requested that the Petitioner may be allowed to withdraw the aforesaid matter unconditionally and there is no objection to the same by the Respondent. Accordingly, we allow to withdrawal of Petition No. 2362 of 2024.
6. In view of the above, this Petition stand dismiss and disposed of as withdrawn by the Petitioner.

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

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

Place: Gandhinagar.  
Date: 12/06/2025.