

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 1015/MP/2025 along with the IA No. 5/2026

Subject : Application seeking issuance of ad-interim directions restraining Respondent No.1 from taking any coercive action, including revocation of the in-principle grant of connectivity and/or encashment of connectivity bank guarantees pursuant to Regulation 11b(2) of the CERC (Connectivity and General Network Access to the inter-state transmission system) Regulations, 2022.

Petitioner : Datta Power Infra Private Limited (DPIPL)

Respondents : Central Transmission Utility of India Limited (CTUIL)

Date of Hearing : **8.1.2026**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member

Parties Present : Shri Buddy Ranganathan, Sr. Advocate, DPIPL
Shri Vikram S Baid, Advocate, DPIPL
Shri Abhinav Sharma, Advocate, DPIPL
Shri Shubham Arya, Advocate, CTUIL
Ms. Pallavi Saigal, Advocate, CTUIL
Ms. Kaavya Madaan, Advocate, CTUIL
Ms. Shree Dwivedi, Advocate, CTUIL
Ms. Muskan Agarwal, CTUIL
Shri Swapnil Verma, CTUIL
Shri Ranjeet Singh Rajput, CTUIL

Record of Proceedings

During the course of the hearing, the learned senior counsel for the Petitioner and the learned counsel for the Respondent, CTUIL, made detailed submissions in the matter. The learned senior counsel for the Petitioner *inter alia* submitted that (i) as on the date of the previous hearing on 19.12.2025, no final grant of connectivity had been issued by CTUIL, (ii) the final grant of connectivity was issued by CTUIL only on 29.12.2025 at 7:52 PM, i.e. immediately before the Financial Closure deadline (30.12.2025), (iii) SJVN *vide* e-mails dated 30.12.2025 and 2.1.2026 has already clarified that the tentative date of signing of the PPA be taken as 28.2.2026 and thus, tentative SCOD be taken as 28.2.2028, (iv) consequently, the deadline to achieve the Financial Closure (FC), in terms of Regulation 11A(2), works out to 28.8.2027, (v) regardless, the Petitioner will achieve

the FC by 31.12.2026 and has already taken various measures towards setting up of the project, (vi) in such circumstances, CTUIL ought to be retrained from taking any coercive steps against the Petitioner. Whereas, the learned counsel for the Respondent, CTUIL, mainly submitted that (i) the deadline for achieving the FC was communicated to the Petitioner way back in August 2025, (ii) admittedly, the final grant of connectivity was communicated on 29.12.2025, (iii) since the firm start date of connectivity is 30.6.2026, the deadline for achieving the FC works out to 30.12.2026, (iv) the e-mails of SJVN extending the SCOD on tentative basis do not meet the criteria specified in the concerned Regulations, nor has CTUIL considered such tentative extensions in other similar cases, (v) the delay in conveying the final grant of connectivity was on account of CTUIL being engaged in giving effect and implementing the provisions of Third Amendment to the GNA Regulations and CTUIL will be filing its compliance affidavit to the Record of Proceedings dated 19.12.2025 wherein similar queries have been posed.

2. At the request of the learned senior counsel and learned counsel for the parties, the Commission also permitted both sides to file their respective written submissions within two days with a copy to the other side.

3. Since the parties argued the matter on the merits, the Commission deemed it appropriate to reserve the matter itself for the order.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)