

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2438 of 2025.

In the Matter of:

Petition under Section 86 of the Electricity Act, 2003 read with Regulations 80 and 82 of the GERC (Conduct of Business) Regulations, 2004 read with Gujarat Renewable Energy Policy, 2023 and Amendments thereof and the Tariff Order dated 31.08.2024 praying before the Commission to exercise its powers under Section 86 of the Electricity Act, 2003 and direct the Respondent GETCO to grant extension of time for commissioning of the Evacuation Line along with bays and metering system of the 4.15 MW Captive Solar Project.

Petitioner : Durga Processors Pvt. Limited
A/501 – B, International Commerce Centre
Nr. Kadiwala School, Opp. Civil Hospital
Ring Road, Surat, Gujarat – 395 002.

Represented By : Ld. Adv. Mr. M.N. Marfatia
V/s.

Respondent No. 1 : Gujarat Energy Transmission Corp. Limited
Sardar Patel Vidyut Bhavan
Race Course, Vadodara – 390 007.

Represented By : Ld. Adv. Mr. Aneesh Bajaj along with Mr.
Shobhraj Jaiswal

Respondent No. 2 : Gujarat Energy Development Agency
4th Floor, Block No. 11 & 12
Udyog Bhavan Sector -11
Gandhinagar – 382 017.

Represented by : Mr. Yatin Patel and Mr. Parthik Patel

Respondent No. 3 : Gujarat Urja Vikas Nigam Limited
Sardar Patel Vidyut Bhavan
Race Course, Vadodara – 390 007.

Represented by : Nobody was present.

CORAM:

**Pankaj Joshi, Chairman
Hiren Shah, Member
Jatin N. Thakkar, Member**

Date: 05/03/2026.

ORDER

1. The matter was kept for hearing on 26.02.2026.
2. The present Petition has been filed by the Petitioner seeking the following prayers as under:
 - (i) *To admit and allow the Petition.*
 - (ii) *To exercise its Regulatory Powers under Section 86 of the Electricity Act and extend the time limit for commissioning of the evacuation line along with bays and metering system by a period of 3 months from the date of allotment of transmission capacity i.e. 30.12.2023, to the Petitioner by the Respondent No. 1.*
 - (iii) *To direct Respondent No. 1 to refrain from invoking the Bank Guarantee of INR 20,75,000/- submitted by the Petitioner till the expiry of the extended time period granted by the Commissioning the evacuation line along with bays and metering system.*
 - (iv) *To pass such other or further Orders as may be deemed just, equitable and necessary in the interest of justice and to protect the lawful rights and interests of the Petitioner.*
3. During the hearing on 26.02.2026, Ld. Adv. Mr. M.N. Marfatia, appearing on behalf of the Petitioner, submitted that during the pendency of the present Petition, the project has been commissioned on 09.04.2025 and the GEDA Certificate dated 27.05.2025 has already been placed on record by the Petitioner in the present matter. He further submitted that the Petitioner had inadvertently not considered the relevant Tariff Order of the Commission and filed the present Petition with consideration of

applicability of the Tariff Order of the Commission which was not applicable in the case of the Petitioner. He submitted that the Petitioner is now seeking permission of the Commission for withdrawing the present Petition unconditionally as the Petitioner is no longer willing to pursue the present Petition. He also agreed to file necessary affidavit in this regard. Accordingly, it is requested to the Commission to permit unconditional withdrawal of Petition by the Petitioner.

4. Ld. Adv. Mr. Aneesh Bajaj, appearing on behalf of the Respondent GETCO, submitted that the Respondent has no objection to the unconditional withdrawal of present Petition by the Petitioner.
5. Heard the parties. We note that during the hearing on 26.02.2026, Ld. Counsel appearing on behalf of the Petitioner submitted that the Petitioner is not willing to pursue the present matter and accordingly, requested that the Petitioner may be allowed to withdraw the aforesaid matter unconditionally and also agreed to file an affidavit in this regard and there is no objection to the same by the Respondent GETCO. We further note that subsequent to hearing dated 26.02.2026, the Petitioner filed affidavit dated 26.02.2026 before the Commission in the present matter on 27.02.2026, seeking the unconditional withdrawal of the present matter. Since the Petitioner has filed affidavit seeking for withdrawal of the present petition unconditionally, the matter stands disposed of as withdrawn by the Petitioner.
6. Order accordingly.

Sd/-
[Jatin N. Thakkar]
Member

Sd/-
[Hiren Shah]
Member

Sd/-
[Pankaj Joshi]
Chairman

Place: Gandhinagar.
Date: 05/03/2026.