

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2514 of 2025.

In the Matter of:

Petition under Sections 86 (1) (c), (e), (f) of the Electricity Act, 2003 read with Regulations 80 & 82 of the GERC (Conduct of Business) Regulations, 2004 seeking directions for extension of time period for commissioning of the Project capacity allocated due to occurrence of unforeseen and uncontrollable events.

Along with

IA No. 59 of 2025 in Petition No. 2514 of 2025.

In the Matter of:

Interlocutory Application under Section 94 (2) of the Electricity Act, 2003 read with Regulation 61 and 80 of the GERC (Conduct of Business) Regulations, 2004 seeking interim stay/injunction and appropriate Interim Order along with supporting affidavit.

Petitioner : German TMX Pvt. Limited,
Epsilon the Hotel, 4th Floor,
Opp. Kothawala Flat,
Ashram Road, Paldi,
Ahmedabad, Gujarat – 380 006.

Represented By : Ld. Adv. Mr. Purusharth Singh along with Ld.
Adv. Ms. Ayushi Saxena, Mr. Karmit Sheth, Mr.
Narendra Desai.

V/s.

Respondent : Gujarat Energy Transmission Corp. Ltd.
Sardar Patel Vidyut Bhavan

Race Course Circle,
Vadodara – 390 007.

Represented By : Ld. Adv. Mr. Utkarsh Singh along with Mr.
Shobhraj Jaiswal

CORAM:

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

Date: 18/10/2025.

DAILY ORDER

1. The present matter was listed for hearing on 08.10.2025.
2. Ld. Adv. Mr. Purusharth Singh appearing for the Petitioner submitted that the Petitioner could not construct its 14.5 MW hybrid power project due to unforeseen reasons beyond the control of the Petitioner. It is further submitted that the Petitioner has already installed 6.3 MW out of three WTGs having capacity of 2.1 MW each out of 9 MW wind capacity and fully installed 5.5 MW solar capacity, totalling to 11.8 MW generation capacity and initiated the construction of the remaining associated evacuation infrastructure for balance 2.7 MW of wind generation capacity . Hence, the power plant of the Petitioner is ready but due to the unforeseen reasons it could not construct the project on time. The reasons are stated below : -
 - a. Delay in obtaining Development Permission from Gujarat Energy Development Agency;
 - b. Delay due to Banking facility clarification;

- c. Delay due to impact by Cyclonic Storm 'Asna';
- d. Delay due to heavy rainfall.

3. Ld. Adv. Mr. Utkarsh Singh has submitted that he would check and take instruction why the energy is not allowed to be injected from the partly commissioned plant.
4. Ld. Adv. Utkarsh Singh appearing for the Respondent GETCO submitted that the Petitioner has to substantiate its claim by providing the documentary evidence on record. The Petitioner has not provided complete facts. The Petitioner is claiming that the part capacity is installed and ready for commissioning without making any assertion on actual commissioning. The Petitioner is required to provide GEDA Certificates for claims of commissioning. As per information available with Respondent GETCO, 9 MW LTA has been granted and commissioning certificate received from GEDA which appears to be for 6.3 MW Wind and 4.675 MW Solar from GEDA. In terms of the Order dated 22.02.2024, the balance uncommissioned capacity stands revoked and the bank guarantee to that extent to be encashed. Further, the claim of the Petitioner that 11.8 MW is 90% of 14.5 MW is not correct. He also requested time to file its written submissions in the matter.
5. Heard the parties. We note that the counsels appearing on behalf of the Petitioner and Respondent have completed their argument in the matter and requested time to file their respective written submissions, let the same be filed within one week time.

6. The matter will thereafter be reserved for Order, if no further hearing is required.
7. Order accordingly.

Sd/-

[S. R. Pandey]
Member

Sd/-

[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 18/10/2025.

