

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2527 of 2025

In the Matter of:

Petition under Section 86 (1) (c) (e) & (f) of the Electricity Act, 2003 read with Regulations 80 and 82 of the GERC (Conduct of Business) Regulations 2004 seeking directions for extension of time period for commissioning the entire evacuation infrastructure along with commissioning of the project till 30.09.2026 due to occurrence of the unforeseen reasons.

Along with

IA No. 74 of 2025 in Petition No. 2527 of 2025

In the Matter of:

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

Petitioner/ Applicant : Cleanmax Vayu Pvt. Limited,
Represented by : Ld. Adv. Aditya Singh along with Adv. Vineet
Gupta
V/s.
Respondent : Gujarat Energy Transmission Corp. Ltd.
Represented By : Ld. Adv. Ranjitha Ramchandran along with Mr.
Shobhraj Jaiswal.

CORAM:

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

Date: 15/09/2025.

DAILY ORDER

1. The matter was kept for hearing on 02.09.2025.

2. At the outset the Ld. Adv. Ms. Ranjitha Ramchandran appearing on behalf of the Respondent submitted that the Respondent needs four weeks' time to file its reply in the matter and hence the matter may be adjourned for today.
3. Ld. Adv. Mr. Aditya Singh appearing on behalf of the Petitioner has submitted that the present Petition is filed under Section 86 (1) (c) (e) & (f) of the Electricity Act, 2003 read with Regulations 80 and 82 of the GERC (Conduct of Business) Regulations 2004 seeking directions for extension of time period for commissioning the entire evacuation infrastructure along with commissioning of the project till 30.09.2026 due to occurrence of the unforeseen reasons.
4. Ld. Adv. of the Applicant/Petitioner also submitted that the Applicant/Petitioner has already made the huge investments for setting up of 50 MW Wind Power Project in support of which he has drawn attention of the Commission to various unforeseen events such as Change in Connectivity due to non- feasible location, RoW issues, heavy rainfall, transformer delivery crisis etc., the Petitioner could not accomplish the project, and as a last recourse has moved the Commission for some relief in terms of the prayers as stated in the aforesaid IA/Petition. He has also drawn attention to the accomplished items showing huge investments made and also heavily relied upon the aforesaid unforeseen events forbidding the Petitioner to complete the entire project.
5. He submitted that the time limit for completion of transmission system is 30.09.2025. He requested the Commission that while allowing the time to file

Reply by the Respondent in the matter, the Petitioner shall be allowed one weeks' time to file its Rejoinder to the Reply filed by the Respondent. It is also requested that till the next date of hearing no coercive action should be taken by the Respondent.

6. Heard the parties. We note that the Petitioner has filed the present Petition under Section 86 (1) (c) (e) & (f) of the Electricity Act, 2003 read with Regulations 80 and 82 of the GERC (Conduct of Business) Regulations 2004 seeking directions for extension of time period for commissioning the entire evacuation infrastructure along with commissioning of the project till 30.09.2026 due to occurrence of the unforeseen reasons.

6.1 The matter involved in the present Petition is pertaining to extension in time limit for construction and commissioning of transmission system by the Applicant/Petitioner which has been granted connectivity by the Respondent for evacuation of 50 MW RE project at 220 KV Sagapara Sub-station of GETCO. The Applicant/Petitioner has submitted that they are unable to create the transmission system for evacuation of Power due to reasons beyond their control.

6.2 Based on the above circumstances and in the interest of justice, and looking to the submissions of the counsel of the Applicant/Petitioner that the Applicant/Petitioner has made huge investments for setting up of 50 MW Wind Power Project in support of which he has drawn attention of the Commission to specific unforeseen events the Petitioner could not accomplish the project, and as a last recourse has moved to the Commission

for seeking relief in terms of the prayers as stated in the aforesaid IA/Petition. We note that the Applicant/Petitioner has drawn our attention to the accomplished items showing huge investments made and also heavily relied upon the unforeseen events forbidding the Petitioner to complete the entire project. The Respondent GETCO has sought three weeks' time to file reply in the matter. Therefore, in view of the present situation and to maintain balance and other factors, we direct the Respondent GETCO not to terminate the connectivity till next date of hearing. We make it specifically clear that there is no stay regarding bank guarantee and its consequential encashment etc. We also make it clear that this temporary relief will remain in force till the next date of hearing only and, in the meantime, the Respondent may file its reply within three weeks' time, with a copy to the Petitioner. The Petitioner would be at liberty to file its rejoinder-in-reply if any, within a weeks' time from the date of receipt of reply from the Respondent GETCO. However, no equitable or legal right will be created in favour of the Applicant/Petitioner by the this Order.

7. Next date of hearing will be intimated separately..
8. We Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 15/09/2025.