

**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 alongwith commissioning of the project till 30.09.2026 due to occurrence of the unforeseen reasons.

And

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

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.

Applicant/Petitioner: Cleanmax Vayu Pvt. Limited
Represented by : Ld. Advocates Mr. Aditya K. Singh and Mr. Vineet Gupta.
V/s.
Respondent : Gujarat Energy Transmission Corporation Limited
Represented By : Ld. Adv. Mr. Aneesh Bajaj alongwith Mr. Shobhraj Jayswal.

CORAM:

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

Date: 18/10/2025.

DAILY ORDER

1. The above matter was kept for hearing on 13.10.2025.
2. At the outset, Ld. Adv. Mr. Aditya K. Singh on behalf of the Applicant/Petitioner submitted that the present Petition is filed by the Applicant/Petitioner seeking extension of time period for construction of the evacuation infrastructure till and commissioning of the entire capacity of 50 MW wind power at GETCO 220 KV Sagapara on 66 KV S/S for captive use till 30.09.2026 due to unforeseen events and

due to such uncertain situations, the Applicant/Petitioner was unable to construct the evacuation structure and commissioning of the project and failure to adhere to this timeline will result into the Respondent GETCO initiating legal actions as stipulated in the Approved Procedure including but not limited to the encashment of the Bank Guarantee and cancellation of connectivity which carry significant legal and financial implications. The said unforeseen events are as follows:

- (a) Delay due to change in source
- (b) Delay due to right of way issues
- (c) Delay due to uncertainty on aspects of banking
- (d) Delay in transformers delivery due to prevailing market demand constraints
- (e) Delay due to unfavorable weather conditions

3. Ld. Adv. Mr. Aneesh Bajaj, appearing on behalf of the Respondent GETCO submitted that that the burden of proof for the claim of the Applicant/Petitioner lies on the Applicant/Petitioner and the Applicant/Petitioner is required to substantiate its claim, and the Commission may verify the same. If there was any default or imprudence on part of the Applicant/Petitioner, the Applicant/Petitioner cannot be allowed extension. He further requested time to file its Written Submissions.
4. Heard the parties. We note that the counsels appearing on behalf of the Applicant/Petitioner and Respondent have argued in the matter and requested time to file their respective written submissions, let the same be filed within one week time.
5. The matter will be reserved for Order thereafter if further hearing is not required.
6. Order accordingly.

Sd/-
[S.R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 18/10/2025.