

APPELLATE TRIBUNAL FOR ELECTRICITY

SKV Law Offices Secures Critical Protection for Waaree Against Revocation of Connectivity Before APTEL

SKV Law Offices successfully represented Waaree Forever Energies Private Limited (WFEPL) before the Appellate Tribunal for Electricity in securing an interim relief in an Appeal challenging an order of the Central Electricity Regulatory Commission (CERC) declining to extend the Start Date of Connectivity for WFEPL's 700 MW solar power project (with battery energy storage) at Solapur, Maharashtra. By its order dated 21.09.2026, the Hon'ble Tribunal granted interim relief directing that the Central Transmission Utility of India Limited ("CTUIL") shall not revoke WFEPL's connectivity in the interim.

Background

WFEPL holds connectivity for a 700 MW solar project at Solapur under the General Network Access Regulations, 2022. In the order under challenge, CERC had granted limited relief to WFEPL and extended the deadline for achieving financial closure, and refused to grant extension of start date of connectivity. This created an anomaly wherein WFEPL's obligations of financial closure fell after the start date of connectivity.

WFEPL was represented by SKV Law Offices, with Mr. Shri Venkatesh, Founding Partner, leading arguments before the Tribunal. It was submitted that having exercised its power to relax and extended the financial closure timeline, CERC ought also to have extended the Start Date of Connectivity, and that the impugned order was, in this respect, inchoate. It was also argued that

CTUIL had not followed the timelines under GNA Regulations, 2022 in granting final grant of connectivity, which also led to difficulties for the WFEPL and thereby warranting interim relief.

Decision of the Tribunal and Significance

After hearing WFEPL's case, the Tribunal directed that CTUIL shall not revoke connectivity in the interim. The Tribunal also granted liberty to WFEPL to approach the CERC for seeking conversion of its connectivity as it had secured a Letter of Award.

The order secures WFEPL's 700 MW connectivity pending adjudication of the Appeal. The Appeal raises important questions on the interplay between the timelines for financial closure and the Start Date of Connectivity under the GNA Regulations, 2022, and the extent of the regulator's power to relax such timelines. It must be noted that the present Appeal is important as it challenges CERC's findings that start date of connectivity cannot be modified or re-aligned under the GNA Regulations, 2022. This issue has industry wide implication considering that Generators often seek re-alignment due to various reasons, including delay in transmission network, delay in commissioning etc. In all such cases, CTUIL has taken a stand that it shall not re-align the connectivity and CERC has decided that GNA Regulations, 2022 do not permit change in start date of connectivity.

SKV Team

The SKV team appearing for the Appellant comprised Mr. Shri Venkatesh (Founding Partner), Mr. Siddharth Nigotia (Senior Associate), and Ms. Devishi Gupta (Associate) at SKV Law Offices.

FOR FURTHER INFORMATION PLEASE CONTACT

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