

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400 005
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Dated: 02 August, 2022

Coram

Sanjay Kumar, Chairperson

I.M. Bohari, Member

Mukesh Khullar, Member

Miscellaneous Application No. 159 of 2021 in Case No. 167 of 2020

Miscellaneous Application of New Ushanagar Co-operative Housing Society Ltd. Mumbai under Regulations 81 and 92 of the MERC (Conduct of Business) Regulations, 2004 and Section 94 of the Electricity Act 2003 for urgent listing and for seeking interim/ad-interim reliefs in Case No. 167 of 2020.

New Ushanagar Co-operative Housing Society Limited (NUCHSL) : Petitioner
V/s
Tata Power Company Limited-Transmission (TPC-T) : Respondent No.1
The Commissioner of Police, Mumbai (CP, Mumbai). : Respondent No.2

Appearance:

For the Petitioner : Shri. Keyur Talsania (Adv.)
For the Respondent No.1 : Shri. Venkatesh (Adv.)
For the Respondent No. 2 : Mrs. Ruta Nemlekar (Rep.)

Daily Order

Heard the Advocate/ Representative of the Petitioner and Respondents.

1. The Representative of the Commissioner of Police Mumbai detailed out the procedure carried out while deciding compensation and stated that it took more time than expected. She submitted that the proposal determining the compensation is under approval from the Competent Authority. Hence, she sought 15 days' time to issue the compensation Order.

2. The Commission accepts the request of the representative of CP Mumbai seeking additional time. The Commission also directs CP Mumbai to determine the compensation within 15 days and submit the report to the Commission immediately thereafter. The Commission further clarified that no further time extension will be granted for determination of compensation.
3. The Advocate of TPC-T pointed out that as per the provisions of the GoM GR dated 31.05.2017, if there is an upgradation/augmentation of existing line from lower voltage to higher voltage, i.e from 110 kV to 220 kV, the compensation payable is for incremental right of way area only. Accordingly, TPC-T requested Commission to take a view on subject matter in light of aforesaid Notification.
4. The Advocate of the Petitioner reiterated the delay in determination of compensation. He also requested for early determination of compensation.
5. On the issue of differential area compensation raised by the Petitioner as per GoM GR dated 31.5.2017, the Commission opined that the Petitioner may file its submission. Based on the submission, the Commission will take its view.

Next date of hearing will be communicated by the Secretariat of the Commission.

**Sd/-
(Mukesh Khullar)
Member**

**Sd/-
(I. M. Bohari)
Member**

**Sd/-
(Sanjay Kumar)
Chairperson**