

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
Tel. 022 22163964/65/69
Email: mercindia@merc.gov.in
Website: www.merc.gov.in**

Date: 29.07.2022

Coram

**Sanjay Kumar, Chairperson
I. M. Bohari, Member
Mukesh Khullar, Member**

Case No. 31 of 2022

Case of Mahindra Sanyo Special Steel Pvt. Ltd. seeking Power Factor Incentive on open access consumption for the period from FY 2012-13 to FY 2018-19 in view of the Judgment of the Hon'ble Appellate Tribunal for Electricity and the Commission's Order dated 7 December 2021 in Case No. 103 of 2021.

Mahindra Sanyo Special Steel Pvt. Ltd : Petitioner

V/s

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) : Respondent

Case No. 37 of 2022

Case of Mahindra CIE Automotive Pvt. Ltd. seeking Power Factor Incentive on open access consumption for the period for the period from FY 2013-14 to FY 2019-20 in view of the Judgments passed by the Hon'ble Appellate Tribunal for Electricity and the Commission's Order dated 7 December 2021 in Case No. 103 of 2021.

Mahindra CIE Automotive Pvt. Ltd. : Petitioner

V/s

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) : Respondent

Case No. 38 of 2022

Case of SMW Ispat Private Ltd. (Formerly known as Mahalaxmi TMT Pvt. Ltd) for non-compliance of Order dated 7 December 2021 in Case No. 103 of 2021.

SMW Ispat Private Ltd. : Petitioner

V/s

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) : Respondent

Appearance:

For the Petitioner(Case No. 31 and 37 of 2022) : Ms. Dipali Sheth (Adv.)

For the Petitioner (Case No. 38 of 2022) :Mr. Vishal Hegde (Adv.)

For the Respondent in all Cases (MSEDCL) : Mr. Ravi Prakash(Adv.)

Daily Order

1. Heard the advocates of the Petitioners and the Respondent.
2. The Advocate of the Petitioner in Case Nos. 31 and 37 of 2022 stated that the Hon'ble Supreme Court vide its judgment dated 25 July,2022 in Civil Appeal No. 6291 of 2021(MSEDCL v/s Jindal Poly Films Ltd.) has granted the stay to the APTEL's Order in Appeal No. 70 of 2019 on the matter related to the Power Factor (PF) Incentive on Open Access consumption.
3. Further, the Advocates of the Petitioners stated that the present matter raised in these 3 Cases regarding applicability of PF Incentive on Open Access consumption and the matter in Civil Appeal No. 6291 of 2021 are similar. Hence, they requested for adjournment till the Hon'ble SC disposes off the matter or stay is vacated in Civil Appeal No. 6291 of 2021.
4. Advocate of MSEDCL also confirmed the stay to the APTEL's Order in Appeal No. 70 of 2019 by Hon'ble SC and also provided copy of the aforesaid judgement.
5. The Commission accepted the request of the Petitioners and adjourned these Cases.

Next date of hearing will be communicated by the Secretariat of the Commission after the decision of the Hon'ble Supreme Court in the Civil suit No. 6291 of 2021.

Sd/-
(Mukesh Khullar)
Member

Sd/-
(I. M. Bohari)
Member

Sd/-
(Sanjay Kumar)
Chairperson