

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400 005
Tel. 022 22163964/65/69
Email: mercindia@merc.gov.in
Website: www.merc.gov.in

Dated: 11 November 2022

CORAM: Sanjay Kumar, Chairperson
I. M. Bohari, Member
Mukesh Khullar, Member

Case Nos. 161 of 2022

Case of Maharashtra State Electricity Distribution Co. Ltd. seeking review of Order dated 7 December 2021 in Case No. 103 of 2021

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) : **Petitioner**

V/s

SMW Ispat Private Ltd. (Formerly known as Mahalaxmi TMT Pvt. Ltd.) : **Respondent**

Appearance:

For MSEDCL : Shri Ravi Prakash (Adv.)

For SMW Ispat : Nil

Daily Order

1. Heard the Advocate of the Petitioner.
2. Advocate of the Petitioner stated that the present Petition is being filed by MSEDCL seeking review of the Order dated 7 December 2021 in Case No. 103 of 2021 (**Impugned Order**). The Case No. 103 of 2021 was filed by SMW Ispat (**Respondent**) seeking grant of Power Factor incentive (**PFI**) on Open Access (**OA**) consumption for the period March 2013 to September 2016. He further stated that an important aspect of law of limitation has been

overlooked and has not been considered by the Commission which amounts to error apparent on face of record.

3. The Commission notes that the Representatives of the Respondent have neither joined in the E- hearing held today as per hearing notice issued on 6.9.2022 nor responded to officers of the Commission for joining the hearing and given any communication for absence.
4. In the interest of justice, Commission is giving another opportunity to Respondent to reply to the petition on its maintenance and merits. If the respondent doesn't submit its reply within 2 weeks, Commission would proceed with the case ex parte Respondent on the next date.

Case is adjourned in terms of ruling in para 4 above. 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**