

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Dated: 27 December 2022

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

(Case No.210 of 2022)

Application by the Petitioner/ Applicant to list the matter as per Appellate Tribunal for Electricity (ATE) Judgment dated 22 September 2022 in Appeal No. 46 of 2019

And

(Case No. 173 of 2017)

Implementation of the Appellate Tribunal for Electricity (ATE)'s Judgment dated 22 September 2022 in Appeal No. 46 of 2019 filed by Serum Institute of India Pvt. Ltd. for compensation due to denial of Short Term Open Access for May 2017

Serum Institute of India Pvt. Ltd Petitioner

V/s

Maharashtra State Electricity Distribution Company Ltd. Respondent

Appearance:

Serum Institute of India Pvt. Ltd Mr. Avijeet Lala(Adv)

Maharashtra State Electricity Distribution Company Ltd. Mr. Rahul Sinha (Adv.)

Daily Order

1. Heard the Advocates of the Petitioner and Respondent.

2. The Advocate of the Petitioner reiterated its submission from the Application and requested the Commission to determine the compensation in terms of the Hon'ble ATE's Order dated 22 September 2022 in Appeal No. 46 of 2019.
3. The Advocate of MSEDCL sought one week's time to file the reply to the Petition as certain new facts were filed by the Petitioner in its Application. The Advocate of the Petitioner consented to the request of MSEDCL stating that as per the Hon'ble ATE's Order the issue of compensation was to be decided afresh. The Advocate of the Petitioner also sought one week time to file rejoinder to reply of MSEDCL. The Commission granted time of one week to the Respondent to file its reply.
4. The Commission directed the Petitioner and MSEDCL to clearly state the implications of the Hon'ble ATE's Order and how it can be implemented by giving credit to the consumer on account of restoration of STOA for May 2017. The submissions shall be completed by the petitioner within one week of the reply of MSEDCL.
5. The Commission also observed that though the matter is to be decided preferably within 3 months as per the Hon'ble ATE Judgment *dated* 22 September 2022, however the Petitioner could file the Petition on 9th December, 2022 and fair opportunity would need to be given to the Parties for their submission in the interest of justice. Petitioner agreed that it took time for them to file its petition seeking specific relief in terms of order of Hon'ble ATE. However, it would be fair and just if the case continued to get the priority for expeditious disposal beyond the timeline expected by hon'ble ATE.

Next date for E-hearing shall be informed by the Secretariat of the Commission.

Sd/-

**(Mukesh Khullar)
Member**

Sd/-

**(I. M. Bohari)
Member**

Sd/-

**(Sanjay Kumar)
Chairperson**