

**BEFORE THE MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
**World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai**  
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**Website: www.merc.gov.in**

**NOTICE**

**In**  
**Case No. 119 of 2021**  
**&**  
**I.A. No. 23 of 2021**

**In the matter of:**

<b>M/s. Clean Wind Power (Bhavnagar) Pvt. Ltd.</b>	<b>..... Petitioner(s)</b>
<b>Versus</b>	
<b>Maharashtra State Electricity Distribution Co. Ltd</b> <b>(MSEDCL)</b>	<b>..... Respondent(s)</b>

**Subject: -** Petition of Clean Wind Power (Bhavnagar) Pvt. Ltd. seeking directions against Maharashtra State Electricity Distribution Limited by declaring that the Power Purchase Agreement dated 17.07.2018 stands frustrated on account of various prolonged and continuing Force Majeure events causing impossibility of performance, and consequential reliefs. and Application on behalf of the Applicant/Petitioner seeking ad Interim Ex-parte directions against the Respondent.

And

Interlocutory Application of Clean Wind Power (Bhavnagar) Pvt. Ltd. seeking interim reliefs, including restraining MSEDCL from invoking/encashing the Petitioner's Performance Bank Guarantee.

1. I am directed to communicate that e-Hearing in this matter is scheduled on, **Tuesday, 03 January, 2023 at 10.30 am.** Kindly refer the Practice Directions dated 14 November, 2022 available on MERC website ([www.merc.gov.in](http://www.merc.gov.in)) for the Operational Procedure and Protocol to be followed for e-Hearing before the Commission.
2. Petitioner(s) and Respondent(s) shall communicate the name(s), email ID(s), and contact number(s), of their Representative(s) (maximum 3 persons) who will be attending e-Hearing, well in advance at least two days before the e-Hearing. MERC – IT Team will communicate the credentials for login into e-Hearing Application and will also provide assistance for using this Application.
3. In case of technical constraint of Video-Conferencing platform, credential for login will be given to one or two persons only. All others can attend the e-Hearing through live streaming link provided on website of the Commission.

4. Documents to be referred during the e-Hearing shall be uploaded on 'Petition E-filing Portal' only, at least two days before the scheduled e-Hearing for reference of the Commission and all concerned parties. During the e-Hearing, parties shall refer these uploaded documents only.
5. All communication related to e-Hearing shall be made on '[ehearing@merc.gov.in](mailto:ehearing@merc.gov.in)' mentioning MERC Case number.
6. NOTICE is hereby given to you to attend e-Hearing through video conferencing through an authorized functionary or duly authorized advocate before this Commission on said date and time.
7. TAKE FURTHER NOTICE that if you fail to appear on the said date and time, the matter will be heard in your absence on the said date or any subsequent date to which the matter may be posted, as directed by the Commission, without any further notice. Failure of the Parties to appear before the Commission on the date of e-Hearing, the Parties shall be a sole responsible for its cause and consequences.
8. Issued in Mumbai under my hand and as directed by the Commission on **Friday, the 23<sup>rd</sup> day of December, 2022.**

Sd/-  
(Anilkumar Ukey)  
Director Legal, (I/c.)

Clean Wind Power (Bhavnagar) Private Limited  
At Plot No. 201, 3rd Floor,  
Okhla Industrial Phase III  
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E-mail:- [aniket.prasoon@plalegal.com](mailto:aniket.prasoon@plalegal.com) / [raksha.agrawal@poovayya.net](mailto:raksha.agrawal@poovayya.net)

Petitioner

The Chief Engineer (Power Purchase)  
Maharashtra State Electricity Distribution Co. Ltd  
Plot No G-9, Prakashgad,  
5th Floor, Anant Kanekar Marg,  
Bandra (East), Mumbai - 400 051  
E-mail :- [setrcmsedcl@gmail.com](mailto:setrcmsedcl@gmail.com) / [ceremsedcl@gmail.com](mailto:ceremsedcl@gmail.com)

Respondent