

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 85 of 2010 & Case No. 87 of 2010

Date: 27 June 2013

CORAM: Shri V. P. Raja, Chairman
Shri Vijay L. Sonavane, Member
Smt. Chandra Iyengar, Member

In the matter of:

Case No. 85 of 2010

Maharashtra State Electricity Distribution Company Limited (MSEDCL),.....Applicant
Prakashgad, Bandra (E)
Mumbai 400 051

Vs.

Mula-Pravara Electric Co-operative Society Limited (MPECS).....Respondent
Shrirampur, District – Ahmednagar.

In the matter of:

Case No. 87 of 2010

Mula-Pravara Electric Co-operative Society Limited (MPECS)..... Applicant
Shrirampur, District – Ahmednagar.

Vs.

Maharashtra State Electricity Distribution Company Limited (MSEDCL),.....Respondent
Prakashgad, Bandra (E)
Mumbai 400 051

Advocate/ Representative for MPECS: Shri. Shaunak Thacker (Advocate)
Shri. Bhavesh V. Panjani (Advocate)
Shri. J.G. Karpe, (Representative)

Advocate/ Representative for MSEDCL: Ms. Deepa Chavan (Advocate)
Shri. M.S. Kele, (Representative)
Shri. C.A. Gadre, (Representative)

Daily Order

Heard the Advocates of both Parties.

The Counsels submitted that they have already filed their pleadings in the matter. MPECS submitted that they are having correspondence of erstwhile MSEB with Govt. of Maharashtra regarding amendment of MPECS map. MPECS is directed to file the referred correspondence.

The Commission directed staff of the Commission to circulate copy of Tata Power Licence available with Commission to both parties.

Case is posted for further hearing on following issues:

- (1) Whether the MSEDCL already has a License to supply electricity in the entire state of Maharashtra including the area of supply hithertofore served by MPECS?
- (2) At the time of grant of license by the Government of Maharashtra (GoM) to MPECS in the year 1971, whether the area of MPECS was deleted from the area of MSEB (now MSEDCL)?
- (3) At the time of grant of license by the GoM to MPECS in the year 1971 was MSEDCL disentitled from conducting distribution operations in the area of supply of MPECS?
- (4) What is the area of supply of MSEDCL under its provisional transfer scheme dated June 4, 2005?
- (5) Is there any principle of law that by not supplying electricity in the last 40 years in the area of MPECS, MSEDCL forfeited the right to carry out distribution of electricity in the area of supply hithertofore served by MPECS?

Post the matter for hearing on Monday, 29 July, 2013 at 11:00 hrs.

Sd/-
(Chandra Iyengar)
Member

Sd/-
(Vijay L. Sonavane)
Member

Sd/-
(V. P. Raja)
Chairman