

**Before the  
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005  
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**Case No. 144 of 2014**

**Dated- 02 December, 2014**

**CORAM: Smt. Chandra Iyengar, Chairperson  
Shri. Azeez M. Khan, Member  
Shri. Deepak Lad, Member**

**In the matter of:** Petition under Section 86(1)(f) of Electricity Act, 2003 seeking extension of Scheduled Commercial Operation Date for actual delay or 11 months, and further seeking refund of the Liquidated Damages, wrongfully deducted from the March 2014 Monthly Invoice, by the Respondent

Adani Power Maharashtra Limited (APML) .....Petitioner

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

Advocate / Representative for the Petitioner: Shri. Sanjay Sen (Adv.)

Advocate / Representative for the Respondent Smt. Deepa Chawan (Adv.)

**Daily Order**

Heard the Advocates of Petitioner and Respondent.

The Petitioner is directed to submit the following by 10 December, 2014;

- a) Chronology of events and correspondence thereof with the Respondent regarding delay in achieving Schedule Commercial Operation Date. The Petitioner is also required to submit correspondence that point out their commitment towards the CoD.
- b) Justification with specific timelines regarding events/circumstances which were not within reasonable control as claimed to be force majeure event.
- c) Submission on APML's letter dated 1 April, 2011 regarding availability of Unit-2 and Unit-3 for Medium Term Power Procurement by MSEDCL. Whether the specific events/circumstances in the Petition were known facts at the time of MSEDCL's tender for Medium Term Power Procurement.

The Respondent is directed to file its response by 26 December, 2014.

Next date of hearing will be communicated to the parties by the Secretariat of the Commission.

**Sd/-  
(Deepak Lad)  
Member**

**Sd/-  
(Azeez M. Khan)  
Member**

**Sd/-  
(Chandra Iyengar)  
Chairperson**