

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 30 of 2011

Dated: 3 November, 2015

**CORAM: Shri Azeez M. Khan, Member
Shri. Deepak Lad, Member**

Suo Motu Hearing in the matter of

Order dated 22nd February, 2010 in Case No. 60, 81, 83, 84, 85, 86 of 2009 for seeking
changeover from BEST Undertaking to Tata Power Company Limited.

Appearance:

Shri. Guruprasad ShettyPetitioner in Case No. 60 of 2009
BEST Undertaking The Tata Power CompanyRespondents
Representatives of the Respondent (BEST)	: Shri. R. R. Dubal
Representatives of the Respondent (Tata Power)	: Smt. S.R. Mehendale
Authorized Consumer Representative	: Shri. Ashok Pendse, TBIA
Other parties	: Shri. Rakshpal Abrol : Shri. Ponrathnam

Daily Order

The parties were informed of the Commission's decision to constitute a two member bench to hear and decide this case. Parties gave their consent to further hearing of the matter being in continuance of the earlier proceedings.

Heard the Petitioner, Respondents, Authorized Consumer Representatives and other parties.

BEST requested a short adjournment in the matter citing unavailability of their Legal Counsel. Considering the fact that the matter has been substantially heard and all the parties had made their respective submissions, the Commission did not find any justification on the request of BEST for grant of adjournment.

Petitioner reiterated his additional submission dated 27 September, 2015 and requested that the Tariff differential paid by him should be refunded to him alongwith the legal cost as a compensation for delay in releasing supply by TPC-D. Further, he prayed for invoking legal provisions against BEST and TPC for non-compliance of Commission's Orders, Regulations and the provisions of the Electricity Act, 2003.

BEST stated that immediately after issuance of Supreme Court's Judgment dated 8 May, 2014, it had taken necessary action regarding disconnection request of Shri. Guruprasad Shetty and thus there is no non-compliance on its part.

TPC reiterated its submission dated 29 September, 2015 and highlighted efforts taken by it to release supply to Shri. Guruprasad Shetty.

Shri. Ashok Pendse from Thane Belapur Industries Association, Authorized Consumer Representative, submitted that BEST needs to provide its views on the Supreme Court's dismissal of its Appeal with cost.

Shri. Rakshapal Abrol stated that in view of Supreme Court's Judgment, the Commission should decide the matter with costs.

Shri. Ponrathnam reiterated his submissions filed on 8 October, 2015 and highlighted issues related to parallel licensing and consumer's choice.

Case is reserved for Order.

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

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