

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 22 of 2015

In the matter of
Petition of M/s SNB Infrastructure Pvt. Ltd under Sections 142, 146 and 149 of the Electricity Act, 2003 seeking relief on account of violation of MERC Order in Case No. 50 of 2009 and Rules and Regulations of MERC.

Dated: 1 December, 2015

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

M/s SNB Infrastructure Pvt. Ltd (SNBIPL)Petitioner
V/s	
M/s The Tata Power Company Ltd-Distribution. (TPC-D)	... Respondent

Appearance

For Petitioner	Shri. P.P. Meghrajani
For Respondent	Smt. Deepa Chavan, Advocate
For Consumer Representative	Shri.Ashok Pendse, TBIA

Daily Order

The Commission informed the parties that since the final Order could not be issued before the Chairperson demitted Office on 9 November, 2015, this matter is scheduled for rehearing. Parties requested the Commission to take on record all their earlier submissions and gave their consent to hear and decide this matter in continuance of the earlier proceedings.

Heard the Advocates of Petitioner and Respondent.

Petitioner while reiterating its earlier contentions submitted that, while TPC-D had 30 days to provide a connection, it did so in 8 days but without conducting any inspection. TPC-D could alternatively have at least written to RInfra-D to ascertain the factual position during the time allowed. No Sanctioned Load was mentioned in RInfra-D's last energy bill. TPC's earlier written Reply in these proceedings contains false and irrelevant facts. The EO and CGRF provided compensation to SNBIPL for other purposes, and not for what SNBIPL is claiming. SNBIPL had not approached the CGRF for penal action against TPC-D for contravention over

18 months since that is only within the Commission's powers. Since TPC-D has admitted its error, it should pay the amount of tariff differential.

TPC-D referred to its earlier submissions, and reiterated that the EO and CGRF had already penalized it by way of directing compensation for non-implementation of certain provisions. The Judgment of the Supreme Court in PTC India Ltd. vs. CERC ((2010) 4 SCC 603) was also submitted.

Case is reserved for Orders.

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

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