

Advocate of the Petitioner submitted that MSEDCL should charge the industrial tariff retrospectively. Hence, the Petitioner is entitled to get refund of excess amount from MSEDCL paid for start-up power during October 2012 to May 2015.

On enquiry from the Commission, Advocate of the Petitioner informed that there is no provision in the PPA for treatment of start-up power. He further submitted that in the Order dated 3 February, 2014 in Case No. 51 of 2013, the Commission has categorically classified start-up power as a power required for industrial purpose. The said Order of the Commission has not been challenged by any party.

The Commission granted parties one week time to file Replies and Rejoinder.

The Case is reserved for Order.

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

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