

**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
**World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005**  
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**Case No.06 of 2016**

**Date: 22 March, 2015**

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

**In the matter of**

**Petition of Shri Gulabhusen Nurmahamad Mujawar and 3 others under Section 3(3) of Works of Licensees Rules, 2006, Sections 67(2) & 67(3) of the Electricity Act, 2003 for revision of Order passed by Sub-divisional Officer, Miraj in Case No. MAG/Kavi/1120/2014 dated 30 November, 2015.**

Shri Gulabhusen Nurmahamad Mujawar & 3 others. .....Petitioners

V/S

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

**Appearance:**

For the Petitioners : Shri B. M. Releka (Advocate)  
For the Respondent : Shri Anil M. Thorat (E.E., MSEDCL, Sangli)  
Shri A. K. Kulkarni. (Representative)

**Daily Order**

Heard the Advocate of the Petitioners and the Representatives of the Respondent.

The Advocate of the Petitioners reiterated the issues raised in the Petition. He submitted that Petition has been filed to review the Order dated 30 November, 2015 passed by Sub-divisional Officer, Miraj. The Sub-divisional Officer has passed the Order without conducting survey and has not determined the amount of compensation.

MSEDCL has already erected 33 kV Line in year 2013 on Petitioners' lands despite objections and no compensation was paid. Presently, MSEDCL has proposed to lay 11 kV Line through the Petitioners' land at Gut No. i.e. 84, 85 adjacent to the existing 33 kV Line in a zigzag manner instead of laying Line along the public street.

On enquiry by the Commission, Petitioners submitted that there are 6 poles of 11 kV Line to be erected on the Petitioners' land and dispute is related to that.

MSEDCL submitted that, it has stopped erection work of 11 kV Line as per the Order dated 9 May, 2013 passed by Civil Judge, Junior Division, Sangli. Thereafter, MSEDCL has filed an application before the District Magistrate, Sangli for granting permission for execution of 11 kV Line work. The District Magistrate, Sangli delegated the powers to Sub-divisional Magistrate, Sangli who passed the Order on 30 November, 2015 and permitted MSEDCL to erect 11 kV Line, and also directed MSEDCL to pay the compensation to the Petitioners within 15 days after completion of work.

MSEDCL has filed an appeal in the Civil Court to vacate the status-quo Order dated 09 May, 2013 .The Commission directs MSEDCL to provide a copy of the appeal to the Commission and Petitioners.

The Commission directs MSEDCL to carry out a walk down survey of proposed 11kV Line in presence of the Petitioners. If the 11 kV Line needs to be routed through the Gut no. 84, & 85 of the Petitioners and there is no other way to lay Line, then MSEDCL shall approach the District Collector as per provisions of EA, 2003 read with Maharashtra Electricity Works of Licences Rules, 2012 and also to decide the quantum of compensation to be awarded to the Petitioners.

**The Case is reserved for Order.**

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

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