

**Before the  
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005  
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**Case No. 4 of 2016**

**Dated: 13 October, 2016**

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

**In the matter of  
Petition under Sections 142 & 146 of the Electricity Act, 2003 for punishment for non-compliance of CGRF Aurangabad's Order dated 25 August, 2015.**

M/s. Navjeevan Hybrid Seeds Corporation. (NHSC) .....Petitioner

V/s.

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

Appearance:

Representative for the Petitioner: Shri R. S. Pawar

Representative for the Respondent: Shri Jitendra V. Mahajan, Add. Executive Engineer,

**Daily Order**

Heard the Representative of the Petitioner and the Respondent.

Representative of the Petitioner submitted that MSEDCL has changed Petitioner's Tariff category from Industrial to Commercial Tariff after visit of its flying squad. NHSC's activities are Industrial in nature and do not fall under Commercial category. NHSC approached CGRF, Aurangabad for appropriate categorization and setting aside the arbitrary assessment. CGRF Aurangabad vide Order dated 25 August, 2015 ruled in favor of the Petitioner and set aside the assessment charged by MSEDCL. Further, CGRF, Aurangabad directed MSEDCL to issue bills as per Industrial Tariff.

MSEDCL submitted that it has challenged the CGRF, Aurangabad Order before the Bombay High Court, Bench at Aurangabad through Writ Petition No. 1678/ 2016. Since the matter is under litigation, it has not complied with the CGRF Order.

The Commission enquired from MSEDCL whether any stay has been granted in the pending Writ Petition, and when it was filed. MSEDCL informed that it has filed the Writ Petition in 2016 and there is no stay Order in the matter.

**The Case is reserved for Order.**

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

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