

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 105 of 2016

Dated: 24 November, 2016

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

**In the matter of
Petition of Sanskar Agro Processors Pvt. Ltd. for action against MSEDCL for willful
breach and violation of the Final Assessment Order issued by Assessment Authority
under S. 126 of Electricity Act, 2003 and its enforcement under S. 142 of EA 2003.**

Sanskar Agro Processors Pvt. Ltd. (SAPPL) ... Petitioner

V/s

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

Appearance

For the Petitioner: Shri. Tushar Mandlekar (Adv)

For the Respondent: Shri. Sunil Deshpande (Rep)

Authorized Consumer Representative: Dr. Ashok Pendse, TBIA

Daily Order

Heard the Advocate of the Petitioner and Representative of the Respondent.

The Advocate of the Petitioner stated that;

- a) MSEDCL has not complied with the Order of Assessment Officer issued under Section 126 of the Electricity Act, 2003.
- b) Bombay High Court, Nagpur Bench, Nagpur vide its Order dated 21 November, 2016 in Writ Petition 5698/ 2016, directed both the parties to maintain status – quo, which inter alia means that the Order of the Assessing Officer is still in force and has not been stayed.

The Representative of MSEDCL stated that:

- a) The Order of the Assessing Officer was challenged by MSEDCL before the Appellate Authority under Section 127 of the Electricity Act, 2003. The Appeal was dismissed by the Appellate Authority.
- b) MSEDCL has filed a Writ Petition No. 5698/ 2016 before the Bombay High Court, Nagpur Bench, Nagpur challenging the Order of the Appellate Authority.
- c) Bombay High Court has issued status – quo Order on 21 November, 2016 in Writ Petition 5698/ 2016.

The Secretariat of the Commission will communicate the next date of hearing.

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

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