

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 34 of 2017

Date: 23 May, 2017

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

In the matter of
Petition of M/s. Shah Promoters and Developers for non-compliance of the
Commission's Order dated 31 May, 2016 in Case No. 55 of 2015

M/s Shah Promoters and Developer ...Petitioner

V/s.

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)
Maharashtra Energy Development Agency (MEDA) ...Respondents

Appearance:

For the Petitioner : Ms. Dipali Sheth (Adv)

For the Respondent : Shri S.S. Rajput (Rep), (MSEDCL)

Authorised Consumer Representatives : Dr. Ashok Pendse, TBIA

Daily Order

Heard the Advocate / Representatives of the Petitioner and Respondent.

1. At the hearing, representative of MSEDCL submitted a letter seeking adjournment as its Advocate was not able to attend the hearing.
2. The Commission enquired about the receipt of the Petition by MSEDCL and Notice of the hearing. MSEDCL replied that it had received a copy of the Petition on 21

February, 2017. The Commission observed that it could have understood had MSEDCL filed its Reply in the matter. MSEDCL has not filed its Reply in spite of sufficient notice and still seeking adjournment. Therefore, the Commission is not inclined to grant adjournment.

3. Advocate of Petitioner stated that:

(i) The Commission vide Order dated 31 May, 2016 in Case No. 55 of 2015 directed MSEDCL to purchase power injected in April, 2012 at the APPC rate.

(ii) The Petitioner vide letter dated 2 June, 2016 requested MSEDCL to purchase the power injected in April, 2012. However, MSEDCL had not complied with Order of the Commission and not purchased the power injected in April, 2012.

4. To a query of the Commission, MSEDCL replied that the note for the compliance of the Order was initiated on 12 August, 2016 which is under circulation to its higher authorities.

5. The Commission expressed its displeasure on the lackadaisical approach of MSEDCL towards compliance of the Commission's Order dated 31 May, 2016, after lapse of a year and not filing its Reply in the matter.

6. The Advocate of the Petitioner also sought interest on the amount payable and the cost of this Petition since the compliance is pending for almost one year.

7. The Commission directs MSEDCL to submit its Reply along with the compliance report of the Order dated 31 May, 2016 alongwith the reasons for delay in compliance. The Commission also directs MSEDCL to submit details of the erring officer/s who are responsible for the delay in compliance of the Order, within two weeks. The Petitioner may submit its Rejoinder, if any, within a week thereafter.

The Case is reserved for Order.

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

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