

**Before the  
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005  
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**Case No. 132 of 2017**

**Dated: 13 December, 2017**

**CORAM: Shri Anand B. Kulkarni, Chairperson  
Shri. Deepak Lad, Member**

**In the matter of  
Petition of Shri B. R. Mantri against MSEDCL for deliberate submission of false and misleading information in latest Case No. 78 of 2016 with reference to old Case No. 95 of 2013 and 184 of 2013 for refund of Additional Energy Charge**

Shri. B. R. Mantri .....Petitioner

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

**Appearance:**

For the Petitioner:

Shri. B. R. Mantri

For the Respondent

Shri. Ashish Singh (Adv.)

**Daily Order**

1. Heard the Petitioner and Advocate of the Respondent.
2. Shri. B. R. Mantri stated that:
  - a. Reply of MSEDCL is received on 11 December, 2017 and hence requested 15 days for filing its Rejoinder.
  - b. MSEDCL has submitted false and misleading information related to Additional Energy Charge (AEC) to the Commission which leads to passing of wrong orders by the Commission. Hence, it has filed this contempt Petition.
3. MSEDCL stated that:
  - a. Contempt Petition is required to be filed within one year from the date of which contempt is alleged to have been committed. The Petitioner is seeking contempt for the action taken in the year 2014, which is time barred now.
  - b. There were issues in interpreting period of applicability of AEC which leads to premature billing. However, in its Order dated 13 July, 2017 in Case No. 78 of 2016,

the Commission has considered all its previous Order since 2013 relating to AEC and clarified that AEC was applicable from 1 September, 2013 to 28 February, 2014. As directed in that Order, MSEDCL has taken corrective action through amendment in billing software.

- c. Further, Case No. 78 of 2016 was originally filed as contempt Petition. However, the Commission in its Order on that Petition has taken considered decision of not taking any action under Section 142 and 149 of the Electricity Act, 2003.
4. The Commission allowed two weeks to the Petitioner for filing its Rejoinder, if any, with copy to MSEDCL and Institutional CRs

**Case is reserved for Order.**

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

**Sd/-  
(Anand B. Kulkarni)  
Chairperson**