

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 133 of 2017

Date: 13 December, 2017

CORAM

Shri. Anand B. Kulkarni, Chairperson
Shri. Deepak Lad, Member

In the matter of

**Petition of M/s. Nandan Textiles Pvt. Ltd. for contravention of Sec 154 (6) of the
Electricity Act 2003 by MSEDCL**

M/s. Nandan Textiles Pvt. Ltd. ... Petitioner

V/s

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

Appearance:

For the Petitioner: ...Shri. J.H.Killedar (Rep.)

For the Respondent: ...Shri. Ashish Singh (Adv.)

Daily Order

1. Heard the Representative of the Petitioner and Advocate of MSEDCL.
2. Representative of the Petitioner stated that
 - (a) Officer of flying squad of then MSEB visited its premises on 1 February, 1999 and the same officer visited on 2 February, 1999 with police officer and handed over the CT/PT unit and meter to the police.
 - (b) MSEB disconnected supply on 2 February, 1999 and FIR was filed with the police authority against it. The demand of Rs. 27,88,844.53 was raised by MSEB against alleged theft of energy.
 - (c) On the directions of the Bombay High Court in WP. 1868 of 1999 it deposited Rs.3 Lacs with MSEB after which supply was reconnected. Pursuance to decision of the Appellate Authority, MSEDCL reassessed and revised the

demand to Rs.11,26,544.09 which includes Rs.3 Lacs (already paid) which is paid by it too.

3. JMFC Ulhasnagar passed the judgement on 31 August, 2009 acquitting it from all charges related to the theft of energy. However, MSEDCL failed to refund the amount collected by it towards alleged theft of energy.
4. It also approached IGRC, CGRF and the Electricity Ombudsman but all of them have rejected its grievance. E O even rejected the Review of its Order. Hence it has filed the Petition with the Commission.
5. Advocate of MSEDCL stated that the grievance raised by the Petitioner is time barred and which is already decided by the IGRC, CGRF and the EO and the only remedy available to the Petitioner is to approach the High Court.
6. Representative of the Petitioner stated that it has not received the Reply from MSEDCL and further requested that it should be given an opportunity to file the Rejoinder. The Commission directed MSEDCL to provide the same within 10 days and the Petitioner may file its Rejoinder within 15 days thereafter.

The Case is reserved for Order.

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

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