

**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
**World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005**  
**Tel. 022 22163964/65/69 Fax 22163976**  
**Email: mercindia@merc.gov.in**  
**Website: www.mercindia.org.in / www.merc.gov.in**

**Case No. 184 of 2017**

**Date: 9 January, 2018**

**CORAM**

**Shri. Anand B. Kulkarni, Chairperson**

**In the matter of**

**Petition of M/s. RattanIndia Nasik Power Limited under Section 142 and other applicable provisions of the EA, 2003 read with Regulation 22 of the MERC (CGRF & EO) Regulations, 2006 seeking enforcement of CGRF Order dated 31.01.2017 against MSEDCL.**

M/s. RattanIndia Nasik Power Limited ... Petitioner

V/s

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

**Appearance:**

For the Petitioner: ...Shri. Sakya Singha Chaudhuri (Adv.)

For the Respondent: ...Shri. Rahul Sinha (Adv.)

For Authorized Consumer Representative: ...Dr. Ashok Pendse (TBIA)

**Daily Order**

1. Heard the Advocate of Petitioner and MSEDCL.
2. Advocate of MSEDCL stated that MSEDCL has challenged the Consumer Grievance Redressal Forum (CGRF) Order dated 31 January, 2017 before the Bombay High Court and the matter which was listed yesterday is listed for today at Sr.No.905.

3. Advocate of Petitioner stated as below:
- (a) The Commission in its MYT Order specified that Industrial Tariff Category shall be applied for Start up power of the Generating Station.
  - (b) In its Order dated 31 January, 2017, the CGRF has directed MSEDCL to apply Industrial Tariff Category for the Start up power.
  - (c) Petitioner has followed with MSEDCL but still it has not complied with the CGRF Order. Instead, it has filed the Writ Petition before the Bombay High Court challenging the CGRF Order.
  - (d) The matter was three times listed earlier before the Bombay High Court, but there was no stay granted to the CGRF Order. Hence, MSEDCL is bound in law to implement the CGRF Order.

**The Case is reserved for Order.**

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