

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Case No. 168 of 2014

Date: 9 May 2019

**CORAM: I. M. Bohari, Member
Mukesh Khullar, Member**

Compliance of Hon'ble Appellate Tribunal's Judgment dated 15 March 2019 in Appeal No. 50 of 2017 filed by New Ushanagar Co-Operative Housing Society Ltd. challenging the Commission's Order dated 5 May 2015 in Case No. 168 of 2014.

New Ushanagar Co-operative Housing. Society Ltd. Petitioner

V/s.

Tata Power Company Ltd
The Commissioner of Police, Mumbai Respondents

Appearance:

For the Petitioner : Ms. Dipali Sheth (Adv.)

For the Respondent No.1 : Ms. Swati Mehendle (Rep.)

For the Respondent No.2 : Shri Umesh Shinde (Rep.)

Daily Order

Heard the Advocate of the Petitioner and Representatives of the Respondents.

1. Advocate of the Petitioner stated that in compliance of Hon'ble Tribunal's Judgement dated 15 March 2019 in Appeal No.50 of 2017, New Ushanagar Co-operative Housing. Society Ltd (NUCHS) is ready to accept the compensation based on the principles laid down by Hon'ble Tribunal. Advocate of the Petitioner further requested to direct Tata Power Company (TPC) to pay the compensation before initiating the works for installation of tower.
2. Representative of TPC stated that it was ready to pay compensation determined by

competent authority in installments as per Govt. Resolution of 2017. Further, she requested for directions to NUCHS to allow /permit the installation of transmission tower works as fair season was ending soon and works were required to be completed by TPC. Pending final determination of compensation for the works by the competent authority, TPC was ready to pay 25% of compensation estimated by it (i.e. Rs 1.35 Crore) to NUCHS before initiating the works of transmission of tower.

3. Considering the urgency of works of installation of tower for Mumbai Transmission Strengthening, the Commission directs as follows:
 - i. TPC to pay 25% of compensation estimated by it (i.e. Rs 33,75,000/-) to NUCHS before initiating the works of installation of tower at NUCHS.
 - ii. NUCHS to accept the compensation amount as stated above as an interim advance and allow TPC to erect installation of tower at NUCHS immediately.
 - iii. The Commissioner of Police, Mumbai to ensure that works of installation of tower at NUCHS by TPC is completed without any obstacles.
4. As requested by TPC, the Commission grants one week time to file its Rejoinder on submission made by NUCHS on 8.5.2019.

The Case is reserved for Order

Sd/-
(Mukesh Khullar)
Member

Sd/-
(I. M. Bohari)
Member