

**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
**World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005**  
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**Date: 9 November, 2020**

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

**Case No. 167 of 2020**

**Case of New Ushanagar Co-operative Housing Society Ltd. Mumbai seeking compliance of the Commission's Order dated 28 May, 2019 in Case No. 168 of 2014 by the Commissioner of Police , Mumbai .**

New Ushanagar Co-operative Housing Society Limited (NUCHSL) : Petitioner

V/s

Tata Power Company Limited-Transmission(TPC-T) : Respondent No.1  
The Commissioner of Police, Mumbai(CP , Mumbai). : Respondent No.2

**Appearance:**

For the Petitioner : Ms. Dipali Sheth (Adv.)  
For the Respondent No.1 : Shri. Venkatesh (Adv.)  
For the Respondent No. 2 : Shri. Santosh Khade (Rep.)

**Daily Order**

Heard the Advocate/ Representative of the Petitioner and Respondents.

1. The Advocate of the Petitioner reiterated its submission from the Petition with following additional issues:
  - a) To a query of the Commission, Advocate of the Petitioner confirmed that the Petitioner has received the compensation for the land occupied by the base of transmission line Tower installed by TPC . The compensation towards land occupied by Right of Way of transmission line is yet to be received.

- b) The Advocate of the Petitioner also clarified that the Petitioner is not pressing the action as per Section 142 and 146 of the Electricity Act , 2003 against the Respondent No.2 . She also requested the Commission not to conclude the Case till the full compensation for Right of Way occupied by Transmission Line is determined by the Respondent No.2.
2. The Advocate of TPC-T stated that TPC-T has complied the Commission's as well as Appellate Tribunal's Orders and paid the part compensation to the Petitioner. TPC-T is ready to pay the Government fees/charges required for measurement of land for determination of compensation. He also requested the Commission to allow recovery of such amount paid by TPC-T through Aggregate Revenue Requirement as a part of the project cost.
  3. The Representative of the Commissioner of Police, Mumbai stated that the official correspondence has been made with Government Authorities to determine the compensation as per the Commission's Order dated 28 May,2019 and requested to grant 45 days more time to comply with the Order. It was stated that certain Government fees need to be paid in the Land Measurement Department for measurement of land occupied by the Transmission Line. He requested the Commission to issue the Order with regards to the payment of the fees of Measurement.
  4. The Commission hereby approves the request of representative of the CP, Mumbai to grant additional forty five days' (45) time for determination of the compensation. The Commission accordingly directs the Respondents No.2 to determine the compensation within forty five days from the date of issue of this order and submit the report to the office of the Commission.
  5. The Commission directs TPC-T to pay the Government fee/charges for measurement of land for determination of compensation and extend the necessary co-operation to the Respondent No.2 .

**After receipt of the compliance report from the Respondent No. 2, further directions will be intimated by the Secretariat of the Commission.**

**Sd/-  
(I. M. Bohari)  
Member**

**Sd/-  
(Mukesh Khullar)  
Member**