

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

Date: 12 October 2021

**CORAM: Sanjay Kumar, Chairperson
I.M Bohari, Member
Mukesh Khullar, Member**

Case No.116 of 2018

Implementation of the Hon'ble Appellate Tribunal for Electricity (ATE)'s common Judgment dated 2 September 2021 in Appeal Nos. 78 of 2019, 81 of 2019, 82 of 2019, 111 of 2019, 112 of 2019, 117 of 2019, 147 of 2019 and DFR No. 146 of 2020

M/s Sai Wardha Power Generation Ltd. (SWPGL)**Petitioner in Case No. 116 of 2018**

1. Mahindra CIE Automotive Ltd. (Mahindra CIE)
2. Inox Air Products Pvt. Ltd. (Inox)
3. Lupin Ltd. (Lupin)
4. Mahindra Sanyo Special Steel Pvt. Ltd. (Mahindra Sanyo)
5. Mahindra & Mahindra Ltd. (M & M)
6. Pudumjee Paper Products Ltd. (Pudumjee)
7. Bekaert Industries Pvt. Ltd. (Bekaert)

.....**Captive Users / Appellants before Hon'ble ATE**

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

.....**Respondent in Case No. 116 of 2018**

The Tata Power Company Limited – Distribution (TPC-D)

State Transmission Utility (STU)

Maharashtra State Load Dispatch Center (MSLDC)

.....**Impleaded Respondents**

Appearance of the Parties

For SWPGL	: Shri Anand Ganesan, (Adv)
For Mahindra CIE, Inox, Mahindra Sanyo, Bekaert	: Ms. Dipali Sheth (Adv.)
For Lupin	: Ms. Divya Chaturvedi (Adv.)
For M & M , Pudumjee	: Nil
For MSEDCL	: Shri G. Sai Kumar (Adv)
For TPC-D	: Ms. Shruti Dutt (Adv.)
For STU	: Shri Sanjay Bole (Rep.)
For MSLDC	: Smt. Juelee Wagh (Rep.)

Daily Order

1. Advocate of SWPGL stated that he would require 10-days' time to submit the reply of the Data gaps/ clarifications raised by the Commission.
2. Advocate of MSEDCL stated that as MSLDC had filed its reply yesterday, he would require additional time to file the reply.
3. Advocate of TPC-D sought for adjournment of hearing due to personal difficulties of their arguing counsel.
4. Advocate for other Appellants before the Hon'ble ATE stated that they would require 7 days' time to file their submissions after the submissions were received from MSEDCL and TPC-D.
5. The Commission expressed concern that, as per the Hon'ble ATE Judgment dated 2 September 2021, the matter was required to be decided within three months, and hence, all the Parties should file their replies on time and no further adjournment would be given in the instant matter.
6. Considering the submissions of the Parties, the Commission accordingly directs as under:
 - (i) SWPGL to file its reply to the data gaps/clarifications within 10 days and serve copies of its replies to all the Parties, including impleaded Respondents.

- (ii) Thereafter, MSEDCL and TPC- D to file their Replies along with necessary details as required for determination of CGP status, within 5 days with copies to other Parties in the matter.
- (iii) All the Captive Users of SWPGL for FY 2018-19 /Appellants and SWPGL to file their respective submissions and Rejoinder, if any within 7 days thereafter.

After the receipt of submissions from Parties as above and as per the time frame decided by the Hon'ble ATE Judgment dated 2 September 2021, the Secretariat of the Commission will communicate next date of hearing.

In view of the time limit to decide the case no further adjournment shall be granted.

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

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

**Sd/-
(Sanjay Kumar)
Chairperson**