

NOTICE

Subject: Petition of Smt. Jyoti Divekar for challenging the Order passed by the District Collector Aurangabad denying of the Jurisdiction for removal of proposed transmission tower through the filed of petitioner.
- **Case No. 36 of 2013**

Smt. Jyoti Divekar has submitted a Petition, under affidavit before the Commission on 13.03.2013, under Section 67, 68, 69, 142,146 and 149 of EA, 2003 under Rule 3(3) of the Maharashtra Works of Licensees Rules, 2012 for challenging the Order passed by the District Collector Aurangabad denying of the Jurisdiction for removal of proposed transmission tower through the filed of petitioner.

2. The following are the main prayers of the Petitioner:

- “ A. That Order dated 21.01.2013 passed by the District Collector Jalana may be quashed and set aside.*
- B. That the MSETCL be directed and ordered to maintain the Original plan of laying down High tension transmission line i.e. through Gut No 82/1 and not through the land of petitioner*
- C. Pending the hearing and till final decision of this petition the effect of Order dated 21.01.2013 passed by the Dist Collector Jalana may be stayed and the respondent MSETCL may be restrained from carrying out the works in the commercial land of the petitioner.*
- D. Ad interim relief in term of prayer clause C may kindly be granted.*
- E. The transmission Licensee may be penalized under section 142 and 149 of the Electricity Act, 2003 for non compliance of the provisions of the Electricity Act and the Rules there under.*
- F. That the petitioner may be allowed with cost and the respondents be ordered and directed to pay cost of Rs 10,000/- (Ten thousand) to the petitioner.*
- G. The Hon'ble Commission may direct the Transmission Licensee to follow strictly the provisions of the Electricity Act and the Maharashtra Works of Licensees Rules, 2012 while laying down transmission line.*

3. I am directed to communicate that the hearing in the above matter will be held in the presence of consumer representatives on **Monday , 15th April, 2013 at 16.30 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005.

4. The Petitioner is directed to immediately serve a copy of its above mentioned Petition, along with its accompaniments, (both in soft and hard versions) to the Respondents and the four authorized consumer representatives, whose addresses are given below.

5. The Respondents are directed to submit their say, if any, on the above mentioned Petition with a copy served to the Petitioner and the four authorized consumer representatives.

6. Further the Respondent No.2 is directed to submit all records relating to the जा.क. २०१३ / आरबी डेक्स -१ / पोल / ँवि Order dated 21.01.2013 well before the date of hearing.

Previous Notice be treated cancelled.

(R. S. Sonawane)
Dy. Director (Legal)

Smt. Jyoti w/o Rajanikant Divekar
C-4, Atharv Plaza,
Opposite Venkatesh Managal Karyalay,
Garkheda, Aurangabad 431 005.

Petitioner

Maharashtra State Electricity Transmission Company Ltd.
Through Dy Executive Engineer, E.H.V. Construction,
Matruchaya, Ground Floor , Mill Corner
Khadkeshwar Road, Aurangabad 431 001

Respondent No. 1

District Collector, Jalna
Collector Office
Jalna

Respondent No. 2

Consumer Representatives

Prayas (Energy Group)

Amrita Clinic, Athvale Corner,
Lakdipool-karve Road Junction,
Deccan Gymkhana, Karve Road,
Pune 411 004.

E-mail: peg@prayaspune.org

Mumbai Grahak Panchayat,

Grahak Bhavan,

Sant Dynaneshwar Marg,

Behind Cooper Hospital,

Vile Parle (West),

Mumbai 400 056

E-mail: mgpanchayat@yahoo.com

The General Secretary,

Thane Belapur Industries Association,

Rabale Village, Post Ghansoli,

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Navi Mumbai 400 701

E-mail: tbia@vsnl.com

Vidarbha Industries Association,

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Nagpur 440 001.

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