

NOTICE

Subject: Petition of Ramchandra Asaram Jinwal & two others for seeking penalty under section 142 and 146 & under Section 67(5) of the Electricity Act 2003 and Maharashtra Works of Licensees Rules 2012 seeking non compliance of the Order No.87 passed by the District Collector, Aurangabad dated 03.09.2013 by MSETCL and also seeking enhancement of compensation awarded by District Collector, Aurangabad under rule 3(3) and 13(2) of Maharashtra Works of Licensees Rules 2012.

- **Case No. 191 of 2013**

Ramchandra Asaram Jinwal & two others have submitted a Petition under affidavit on 19.12.2013. 142, 146 & under Section 67(5), of the Electricity Act, 2003 & rule 3(3) and 13(2) of Maharashtra Works of Licensees Rules 2012 for seeking non compliance of the Order passed by the District Collector, Aurangabad dated 03.09.2013 by MSETCL and also seeking enhancement of compensation awarded by District Collector.

2. The main prayers of the Petitioner are as under-

“1) The MSETCL may be directed to comply the Order dated 03.09.2013 passed by the District Collector, Aurangabad allowing the compensation for the losses suffered by the High Tension Transmission works in the field of landowners and to deposit the amount of compensation within 15 days along with penal interest on the amount of compensation from the date of installation of transmission tower.

2) The MSETCL may be penalized along with appropriate directions by this Hon'ble Commission u/sec 142, 146 & 149 for noncompliance Order 03.09.2013 passed by the District Collector, Aurangabad allowing the compensation for the losses suffered by High Tension Transmission works in the field owned by them and to deposit the amount within 15 days.

3) The District Collector, Aurangabad may be directed to enhance the amount of compensation by awarding four times of market value of land.

4) The petitioners may be awarded amount of compensation of trees by considering the cost of sowing, growing and maintaining trees and by considering the potential income from trees.

5) The MSETCL may be directed to pay Rs. 30,000/- each petitioner towards cost of litigation and Rs.100000/- (Rupees One Lac) each petitioner towards mental harassment and inconvenience caused.

6) Any other directions in the interest of justice and in the interest of public at large.

3. I am directed to communicate that the hearing in the matter will be held further on **Tuesday, 21 January, 2014 at 11.30 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 (both in soft and hard versions) to the Respondent and the authorised consumer representatives before the scheduled date of hearing.

5. The Respondent is directed to submit its say on affidavit, if any, on the above mentioned Petition with a copy to the Petitioner and the authorised consumer representatives well in advance.

Sd/-

(R. S. Sonawane)

Dy. Director (Legal)

Petitioner

1. Shri Ramchandra Asaram Jinwal
2. Shri Pralhad Agaji Agale
3. Shri shiwaji Taty Jadhav
C/o : PNA Legal Associates,
N-3, Cidco, sagar Plaza,
Near High Court, Aurangabad - 431 001.
E-mail :- anand.mamidwar@yahoo.co.in

The District Collector &
District Magistrate Collector Office,
Aurangabad.

Respondent ---1

Dy. Executive Engineer
Maharashtra State Electricity Transmission Co Ltd.
E.H.V. Construction Regular,
Matruchaya, mill corner, Khandkeshwar Road,
Aurangabad - 431 001.

Respondent --- 2

Cc: **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

The General Secretary,
Thane Belapur Industries Association,
Rabale Village, Post Ghansoli,
Plot P-14, MIDC,
Navi Mumbai 400 701
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Mumbai Grahak Panchayat,
Grahak Bhavan,
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Maharashtra Chamber of Commerce,
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