

NOTICE

Subject: Petition of M/s Wardha Power Company Limited, for directions under sections 142, 146 read with section 86 (1) (f) and other applicable provisions of the Electricity Act, 2003.

- **Case No. 52 of 2014**

Wardha Power Company Ltd. has submitted a Petition under affidavit on 20.02.2014, against the Reliance Infrastructure Limited under Section 86(1)(f), 142, 146 of the Electricity Act, 2003 for adjudication of dispute relating to capacity charges charged by Reliance Infrastructure Limited and Interim application on 14.03.2014 .

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

“ a) Initiate proceedings under section 142 of the Electricity Act, 2003 for the willful violation of the directions of the Hon’ble Commission by the Respondent in deducting capacity charges contrary to the provisions of the PPA and the principle laid down by the Hon’ble Commission;

b) Hold and declare that the calculation and deduction of capacity charges of Rs.21,94,44,381/- relating to period April 2012 to November 2012 alongwith the interest of 2,40,06,306/- by the Respondent from the bills of the Petitioner is wrong;

c) Hold and declare that the Respondent is liable to refund the said capacity charges of Rs.21,94,44,381/ and interest of Rs.2,40,06,306/- alongwith the interest from the date of deduction till the date of refund;

d) Award costs of these present proceedings against the Respondent and in favour of the Petitioner;

e) Pass such other further order(s) as the Hon’ble Commission may deem just in the facts of the present case.”

The main prayers of Interim application are as under:-

“ a) Direct R-Infra to refund the amounts of Rs 46.17 crores deducted by R-Infra contrary to the status quo ante order passed by the Hon’ble Commission;

b) Restrain R-Infra form making any further deduction form the bills of WPCL pending disposal of the present petition;

c) List the present petition and petition No. 49 of 2014 on expedited basis for final disposal;

d) Pass such other further order(s) as the Hon’ble Commission may deem just in the facts of the present case.

3. I am directed to communicate that the Hearing in the above matter will be held in the presence of consumer representatives on **Thursday, 27 March, 2014 at 12.00 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 Respondent and the four authorized consumer representatives.

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

Sd/-
(R.S. Sonawane)
Dy Director (Legal)

M/s Wardha Power Company Ltd.,
8-2-293/82/A/431/A,
Road No. 22, Jubilee Hills
Hyderabad 500 033

Petitioner

Reliance Infrastructure Ltd.
H Block, 1st Floor
Dhirubhai Ambani Knowledge City
Navi Mumbai 400 710
E-mail:- Ghanshyam.Thakkar@relianceada.com / kerman.karkaria@relianceada.com
kapil.sharma@relianceada.com / kishor.patil@relianceada.com
Surendra.khot@relianceada.com

Respondent

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
E-mail: tbia@vsnl.com

Mumbai Grahak Panchayat,
Grahak Bhavan,
Sant Dynaneshwar Marg,
Behind Cooper Hospital,
Vile Parle (West), Mumbai 400 056
E-mail: mgpanchayat@yahoo.com

Maharashtra Chamber of Commerce,
Industry & Agriculture,
Oricon House, 6th floor,
12 K. Dubash Marg, Fort, Mumbai - 400 001
(Nashik Branch)
E-mail : maccia.nsk@gmail.com

Vidarbha Industries Association,
1st Floor, Udyog Bhavan,
Civil Line, Nagpur 440 001.
E-mail: rkengg@gmail.com