

NOTICE

Subject: Petition of M/s. Giriraj Enterprises under Section 86 (1) (f) of the EA, 2003 pertaining to adjudication of disputes between M/s. Giriraj Enterprises and MSEDCL.

- **Case No. 136 of 2016**

M/s. Giriraj Enterprises has filed a Petition on 13.10.2016 under Section 86 (1) (f) of the Electricity Act, 2003. The Petitioner is engaged in the Wind power generation and has entered into various WEPAs with the Respondent MSEDCL for the sale of power generated by its projects State of Maharashtra. The Applicant has filed the Petition requesting to direct MSEDCL to make payment towards outstanding invoices as well as delayed payment charges as claimed by the Petitioner. It is prayed to:

- a) *Direct MSEDCL to make payment of the Outstanding Amount towards Sales Invoices due till date within seven(7) days[a sum of Rs.7,39,61,357/-(Rupees Seven Crores Thirty Nine Lakhs Sixty One Thousand Three Hundred and Fifty Seven only) are due as on September 30, 2016 as detailed in Annex E];*
- b) *Direct MSEDCL to make payment of the Outstanding Amount towards DPC as per the WEPAs [a sum of Rs.86,15,090/-(Rupees Eighty Six Lakhs Fifteen Thousand and Ninety Only) are outstanding DPC for Nandurbar Project, Sangli Project and Satara Project as on September 30, 2016 is also detailed in Annex E];*
- c) *Direct MSEDCL to pay all amounts outstanding to the Petitioner towards partial sale units as detailed in clause 17 and 18 above;*
- d) *Direct MSEDCL to pay to the Petitioner towards over injected units at the end of each financial year as detailed in clause 19 above at adhoc rate of last financial year or atleast Rs.3 per unit till approved by the Hon'ble Commission and pay the difference, if any within thirty (30) days of same being approved by Hon'ble Commission;*
- e) *Direct the Respondents to pay carrying cost at the rate of 15% per annum of the delay in payment of the late/delayed payment surcharge by the Respondent;*
- f) *Award costs of these proceedings against MSEDCL and in favour of the Petitioner; and*
- g) *Pass such other 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 the authorized consumer representatives on **Thursday, 27 October, 2016 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 copy) 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)

M/s. Giriraj Enterprises
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Sangamner – 422 605,
Dist. Ahmednagar
E-mail: dipali@eternitylegal.com

Petitioner

Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Plot No G-9, Prakashgad, 5th floor, Station Road,
Bandra (East), Mumbai - 400 051
E-mail:- cecomm@mahadiscom.in

Respondent

Cc: **Consumer Representatives:-**

Prayas (Energy Group)
Unit III A & B, Devgiri,
Joshi Railway Museum lane,
Kothrud Industrial Area,
Kothrud, Pune - 411 038
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,
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Maharashtra Chamber of Commerce,
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Oricon House, 6th floor,
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