

NOTICE

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

- **Case No. 144 of 2016**

M/s. L. B. Kunjir has submitted a Petition under affidavit on 27.10.2016 under Section 86(1)(f) of the EA, 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 in the 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 from November 2015 for the projects situated at Dhule, Nandurbar and Nashik and from September 2015 for the projects situated at Sangli till date within seven (7) days [a sum of Rs. 4,46,40,131 (Rupees Four Crores Forty Six Lacs Forty Thousand One Hundred Thirty One Only) is outstanding towards invoices for the projects situated at Dhule, Nandurbar, Nashik and Sangli, respectively as on October 26, 2016 as detailed in **Annex "F"**];*
- b) *Direct MSEDCL to make payment of the Outstanding Amount towards DPC as per the WEPAs [a sum of Rs. 52,34,526 (Rupees Fifty Two Lacs Thirty Four Thousand Five Hundred Twenty Six Only) is outstanding DPC for the projects situated at Dhule, Nandurbar, Nashik and Sangli, respectively as on October 26, 2016 is also detailed in **Annex F**];*
- c) *Direct the Respondents to pay carrying cost at the rate of 15% per annum of the delay in payment of the late payment surcharge by the Respondent;*
- d) *Award costs of these proceedings against MSEDCL and in favour of the Petitioner; and*
- e) *Pass such other order(s) as the Hon'ble Commission may deem just in the facts of the present case.*

2. I am directed to communicate that the hearing in the above matter will be held in the presence of the authorized Consumer Representatives on **Tuesday, 22 November, 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.

3. The Petitioner is directed to serve within 1 week, a copy of its above Petition (both in soft and hard copy) to the Respondent and the authorised Institutional Consumer Representatives.

4. The Respondent is directed to submit their say on affidavit in 1+6 copies to the Commission with documents, if any, on the above mentioned Petition within 2 weeks from receipt of copy of Petition, with a copy to the Petitioner and the authorized Institutional Consumer Representatives.

5. The Parties are directed to file their Petition and submissions in MS -Word file and PDF version as far as possible, and to file 1+6 copies of all relevant documents/citations produced during the proceedings.

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

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Petitioner

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Respondent

Cc: Institutional Consumer Representatives:-

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