

NOTICE

Subject: Petition of Shah Promoters and Developers, under Section 86(1)(f) of the EA,2003 pertaining to adjudication of disputes between Shah Promoters & Developers and MSEDCL.

- **Case No. 73 of 2017**

Shah Promoters and Developers has filed a Petition on 27.04.2017 under Section 86(1) (f) of the EA, 2003 pertaining to adjudication of disputes between Shah Promoters & Developers and MSEDCL.

The main prayers of the Petitioner are as under-

(a) *Direct the Respondent to make payment for the wind energy generated by the Petitioner regularly and in timely manner as per all the WEPAs;*

(b) *Direct MSEDCL to make payment of the Outstanding Amount towards Sales Invoices due till date immediately [a sum of Rs. 13,81,02,672/- (Rupees Thirteen Crores Eighty One Lakhs Two Thousand Six Hundred and Seventy Two Only) for the project to the tune of 11.2 MW and a sum of Rs. 75,98,334/- (Rupees Seventy Five Lakhs Ninety Eight Thousand Three Hundred and Thirty Four Only) for the project to the tune of 0.8 MW are due as on April 15, 2017 as detailed in Annex D];*

(c) *Direct MSEDCL to make payment of the Outstanding Amount towards DPC as per the WEPAs immediately [a sum of Rs. 2,13,21,794/- (Rupees Two Crores Thirteen Lakhs Twenty One Thousand Seven Hundred and Ninty Four Only) for the project to the tune of 11.2 and a sum of Rs. 12,15,511/- (Rupees Twelve Lakhs Fifteen Thousand Five Hundred and Eleven Only) is outstanding towards delayed payment surcharge for the project to the tune of 0.8 MW are outstanding DPC as on April 15, 2017 is also detailed in Annex D];*

(d) *Direct the Respondent 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;*

(e) *Direct Respondent to comply with the terms of WEPAs in letter and spirit by making payments thereunder within stipulated time;*

(f) *Direct Respondent to issue credit notes within fifteen (15) days generation and comply with the Citizen Charter to enable the Petitioner to issue invoices under the WEPAs in a timely manner;*

(g) *Award costs of these proceedings against MSEDCL and in favour of the Petitioner; and*

(h) *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, 11 July, 2017 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 immediately, a copy of its above Petition (both in soft and hard copy) to the Respondent and the authorized Institutional Consumer Representatives.
4. The Respondent is directed to submit the say on affidavit in 1+6 copies to the Commission with documents, if any, on the above mentioned Petition, with a copy to the Petitioner and 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/-
(Anilkumar Ukey)
Dy. Director (Legal)

Shah Promoters & Developers
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Petitioner

The Chief Engineer (Commercial),
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Respondent

Cc: Institutional Consumer Representatives:-

Prayas (Energy Group)
Unit III A & B, Devgiri,
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Kothrud Industrial Area,
Kothrud, Pune - 411 038
E-mail: peg@prayaspune.org

The General Secretary,
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