

NOTICE

Subject: Petition of M/s. D. J. Malpani against Maharashtra State Electricity Distribution Company Limited (MSEDCL) for non-compliance by MSEDCL of the Order dated 16.03.2017 of the Hon'ble Commission read with relevant provisions of the EA, 2003 in Case No.135 of 2016.

- **Case No. 90 of 2017**

M/s. D. J. Malpani has filed a Petition on 30.05.2017 under Section 142, 146 & 149 of the Electricity Act, 2003 against MSEDCL for non-compliance by MSEDCL of the Order dated 16.03.2017 of the Hon'ble Commission read with relevant provisions of the EA, 2003 in Case No.135 of 2016.

The main prayers of the Petitioner are as under-

- a) *Direct MSEDCL to make payment of the Outstanding Amount towards Sales Invoices due till date within seven (7) days [a sum of Rs. 31,82,28,497/- (Rupees Thirty One Crores Eighty Two Lakhs Twenty Eight Thousand Four hundred and Ninety Seven Only) are due as on September 30, 2016 as detailed in Annex G];*
- b) *Direct MSEDCL to make payment of the Outstanding Amount towards DPC as per the WEPAs [a sum of Rs. 3,64,58,317/- (Rupees Three Crores Sixty Four Lakhs Fifty Eight Thousand Three Hundred and Seventeen Only) are outstanding DPC for Dhule Project, Nandurbar Project, Panchpatta Nashik Project, Sangli Project and Satara Project as on September 30, 2016 is also detailed in Annex G];*
- c) *Direct to pay all amounts outstanding to the Petitioner towards partial sale till date as detailed in clause **Error! Reference source not found.**above;*
- d) *Direct MSEDCL to pay to the Petitioner towards over injected units at the end of each financial year as detailed in clause **Error! Reference source not found.** 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."*

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 immediately serve, a copy of its above Petition (both in soft and hard copy) to the Respondents and the authorized Consumer Representatives.
4. The Respondents are 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 the authorized 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)

M/s. D. J. Malpani
Malpani Estate, Kasara Dumala,
Sangamner – 422 605,
Dist. Ahmednagar
E-mail: dipali@eternitylegal.com

Petitioner

The Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Plot No G-9, Prakashgad, 5th floor, Station Road,
Bandra (East), Mumbai - 400051
E-mail : cecomm@mahadiscom.in

Respondent No - 1

General Manager,
Maharashtra Energy Development Agency (MEDA)
MHADA Commercial Complex,
2nd Floor, Opp. Tridal Nagar,
Yerawada, Pune - 411 006
E-mail:- dg@mahaurja.com

Respondent No - 2

Cc: Institutional 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,
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Navi Mumbai - 400 701
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Mumbai Grahak Panchayat,
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Maharashtra Chamber of Commerce,
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Oricon House, 6th floor,
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(Nashik Branch)
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Chamber of Marathwada Industries & Agriculture
Bajaj Bhavan, P-2, MIDC Industrial Area,
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Cc: Individual Consumer Representatives:-

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