

**NOTICE**

Subject: Review Petition of OPGS Power Gujarat Private Limited against the MERC Order dated 12.01.2018 in Case No. 27 of 2018, preferred in terms of the Order dated 23.01.2018 passed by the APTEL in Appeal No. 20 of 2018.

- **Case No. 76 of 2018**

OPGS Power Gujarat Private Limited has submitted a Petition on 06.02.2018 under Section 94 (1)(f) of the EA 2003 against the MERC Order dated 12.01.2018 in Case No. 27 of 2018, preferred in terms of the Order dated 23.01.2018 passed by the APTEL in Appeal No. 20 of 2018.

The main prayers of the Petitioner are as under-

- a) *Review and recall the impugned order dated 12.01.2018 in terms stated in the present Review Petition;*
- b) *Adjudicate Case No. 27 of 2018 on merits in accordance with law; and*
- c) *Pass such other and further order or orders as this Hon'ble Commission deems fit and proper under the facts and circumstances of the present case.*

The OPGS Power Gujarat Private Limited has also filed an Interlocutory Application alongwith the Review Petition seeking interim Relief as below:

- a) *continue the interim protection granted by the Hon'ble Appellate Tribunal in favour of the Review Petitioner which is expiring on 13.02.2018, including but not limited to restraining the respondent from levying any cross subsidy surcharge or additional surcharge on the power supplied by the Petitioner to its captive users, till the pendency of the accompanying review petition and the underlying Case No. 27 of 2018; and*
- b) *pass such other and further order or orders as this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the present case and in the interest of justice."*

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 **Saturday, 9 June, 2018 at 10.00 am** in the office of the Commission at 13<sup>th</sup> 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 mentioned Petition (both in soft and hard Copy) to the Respondent and the authorised consumer representatives before the scheduled date of hearing.

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 immediately, with a copy to the Petitioner and authorized Consumer Representatives, the CRs may submit there say before hearing.

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.

(R. S. Sonawane)  
Dy. Director (Legal)

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Taluka - Mundra,  
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Petitioner

Chief Engineer (Commercial),  
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Respondent No - 1

Cc:- The Chief Engineer  
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**Cc: Institutional Consumer Representatives:-**

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The General Secretary,  
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**Cc: Individual Consumer Representatives:-**

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