

Subject: Petition of Avinash Constructions against Maharashtra State Electricity Distribution Company Ltd. under Section 86 (1) (f) for adjudication of dispute on the issue of outstanding payments of power purchases, interest on delayed payment and overdue interest for delayed payment surcharge for wind power supplied by it to MSEDCL.

- **Case No. 102 of 2018**

Avinash Constructions has submitted a Petition on 16.03.2018 against Maharashtra State Electricity Distribution Company Ltd. under Section 86(1) (f) for adjudication of dispute on the issue of outstanding payments of power purchases, interest on delayed payment and overdue interest for delayed payment surcharge for wind power supplied by it to MSEDCL.

The main prayers of the Petitioner are as under-

- (a) *Direct the Respondent to pay the principal and delayed payment surcharge payable to the Petitioner in terms of the PPA and remit an amount of Rs. 4,116,751 towards bills raised and submitted for generation up to November 2017 and Rs. 715,780 towards the delayed payment surcharge for the payments received up to February 2017 billings from SE Sangli as per the Statements attached in Annexure” C “ to the Petition;*
- (b) *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;*
- (c) *Direct the Respondents to remit the amounts due and payable on time in terms of the PPA;*
- (d) *Direct the Respondent to pay the costs of the present petition; and*
- (e) *Pass such other further order(s) as the Hon'ble Commission may deem just in the facts of the present case.*
- (f) *Permit additions and deletions of facts during process of the hearing.*

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, 09 June, 2018 at 10.00 am** 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 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 immediately 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 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.

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

Avinash Constructions
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Petitioner

Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Plot No G-9, 5th Floor, Prakashgad,
Anant Kanekar Marg,
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E-mail : - cecomm@mahadiscom.in

Respondent

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, Plot P-14, MIDC, Navi Mumbai - 400 701 E-mail: tbia@vsnl.com	
Mumbai Grahak Panchayat, Grahak Bhavan, Sant Dynaneshwar Marg, Behind Cooper Hospital, Vile Parle (West), Mumbai - 400 056 E-mail: mgpanchayat@yahoo.com	
Maharashtra Chamber of Commerce, Industry & Agriculture, Oricon House, 6 th floor, 12 K. Dubash Marg, Fort, Mumbai - 400 001 (Nashik Branch) E-mail : maccia.nsk@gmail.com	
Vidarbha Industries Association, 1 st Floor, Udyog Bhavan, Civil Line, Nagpur - 440 001 E-mail: rkengg@gmail.com	
Chamber of Marathwada Industries & Agriculture Bajaj Bhavan, P-2, MIDC Industrial Area, Railway Station Road, Aurangabad – 431 005 E-mail: info@cmia-aurangabad.com	

Cc: Individual Consumer Representatives:-

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