

NOTICE

Subject: Petition of Westin Mumbai Garden City & Other under Section 86 (1) (e) of the Electricity Act, 2003 read with Regulation 20 of the MERC (Distribution Open Access) Regulations, 2016 for adjudication of dispute arisen between the Petitioners and the Respondent on the issue of non-settlement/non-adjustment of banked energy/units for the period December, 2017 to March, 2018.

- **Case No. 153 of 2018**

Westin Mumbai Garden City & Other has submitted a Petition on 18.05.2018, under Section 86 (1) (e) of the Electricity Act, 2003 read with Regulation 20 of the MERC (Distribution Open Access) Regulations, 2016 for adjudication of dispute arisen between the Petitioners and the Respondent on the issue of non-settlement/non-adjustment of banked energy/units for the period December, 2017 to March, 2018.

The main prayers of the Petitioner are as under-

- a. Hold and declare that the action of R-Infra in denying the facility of banking to the Petitioners is wrong and illegal;*
- b. Direct R-Infra to immediately adjust the 46,54,746 banked units in the bills for the month of December, 2017 till April, 2018 of the Petitioner No. 1;*
- c. Hold and declare that the observations in the order dated 15.01.2018 passed in Case No. 137 of 2017 shall have prospective applicability from the new financial year;*
- d. In the alternative, direct R-Infra to refund the wheeling charges/ losses, transmission charges/losses and banking charges alongwith interest @ 18% per annum, illegally recovered by R-Infra on the units on which no banking facility is provided;*
- e. Cost of the Petition be awarded in favor of the Petitioners and against R-Infra.*
- f. Pass such further order as this Hon'ble Commission may deem fit and proper in the interest of justice and good conscience.*

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 **Thursday, 28 June, 2018 at 10.00 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

3. The Petitioners are 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 Petitioners 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)

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Petitioner No. - 1

Siddhayu Ayurvedic Research Foundation Pvt. Ltd
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Petitioner No. - 2

The Managing Director,
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Devidas Lane, Off SVP Road Near Devidas
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Respondent

Cc: Institutional Consumer Representatives:-

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The General Secretary,
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Cc: Individual Consumer Representatives:-

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