

NOTICE

Subject: Review Petition of M/s Topworth Urja and Metals Limited under Sections 94 of the Electricity Act, 2003 Read With Regulation 85,92,93,94 and 95 of the MERC (Conduct of Business) Regulations, 2004 Review of the Order dated 4th May, 2018 passed in Case No.5 of 2016.

- **Case No. 174 of 2018**

M/s Topworth Urja and Metals Limited has submitted a Petition on 14.06.2018 under Sections 94 of the Electricity Act, 2003 Read With Regulation 85,92,93,94 and 95 of the MERC (Conduct of Business) Regulations, 2004 Review of the Order dated 4th May, 2018 passed in Case No.5 of 2016.

The main prayers of the Petitioner are as under-

- A) call for the records and proceedings relating to the order dated 04-05-2018 passed by this Hon'ble Commission in Case No. 5 of 2016, and after going through the legality and propriety thereof and appreciating the facts narrated in the instant Review Petition, be pleased to review, modify and recall the order dated 04-05-2018, to the extent of the Grounds enumerated herein above;*
- B) To admit the review Petition under 94(1)(f) of the Electricity Act, 2003 Read With Regulation 85(a),92,93,94 and 95 of The MERC (Conduct of Business) Regulations, and review, recall and modify the order dated 04-05-2018 and hear the matter **de novo**;*
- C) Recall the Order dated 04-05-2018, passed by this Hon'ble Commission in Case No. 5/2016 and hear the matter **de novo**, as the order was passed taking into consideration the material placed on record, of which no information was given to the Petitioner and for which the Petitioner was not given any opportunity look into, rebut and deal with the same;*
- D) Recall the Order dated 04-05-2018, passed by this Hon'ble Commission in Case No. 5/2016 as the other material placed on record in the instant petition clearly reflects that the said order is erroneous;*
- E) Recall and Review the Order dated 04-05-2018, passed by this Hon'ble Commission in Case No. 5/2016 and decide the matter in view of the grounds raised and mentioned in the instant Review Petition;*
- F) hear the matter as expeditiously as possible;*
- G) For such further and other consequential reliefs, as in the nature and circumstances of the case may require.*
- H) To condone any error/omission and to give opportunity to rectify the same;*

I) To permit the Petitioner to make further submissions, addition and alteration to this Review Petition as may be necessary from time to time.

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 **Friday, 21 September, 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 Petitioner is directed to immediately serve a copy of its above mentioned Petition (both in soft and hard Copy) to the Respondent 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.

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 Topworth Urja and Metals Limited
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Petitioner

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Respondent