

NOTICE

Subject: Petition of Sun-N-Sand Hotels Pvt Limited under Section 86(1)(f) for adjudication of dispute on the issue of outstanding payments, of delayed payment surcharge and of interest on delayed payment surcharge by the Respondent

- **Case No. 188 of 2018**

Sun-N-Sand Hotels Pvt Limited has submitted a Petition on 22.06.2018 under Section 86(1)(f) for adjudication of dispute on the issue of outstanding payments, of delayed payment surcharge and of interest on delayed payment surcharge by the Respondent.

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. 12,66,23,821/- towards bills raised and submitted for generation up to May 2018 with delayed payment surcharge and interest on the delayed payment surcharge as per the settled position of the law as in the Hon. Commission's orders and Hon APTEL's judgements supra.*

(b) *Direct the Respondent to continue to make timely payments for the future invoices as per PPAs and as per the directions in case No. 62 of 2016.*

(c) *The Hon. Commission should treat this Petition as in continuation of the earlier Petition in case No. 62 of 2016 and directions begiven therein should be applicable for all future payments also.*

(d) *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;*

(e) *Direct the Respondent to pay the costs of the present petition; and*

(f) *Pass such other further order(s) as the Hon'ble Commission may deem just in the facts of the present case.*

(g) *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 on **Tuesday, 25 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.

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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)

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Petitioner

The Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
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Bandra (East), Mumbai - 400 051
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Respondent