

NOTICE

Subject: Petition of M/s. Markdata Green Energy Private Limited under Section 86(1)(E)(K) of the Electricity Act, 2003 read with 93 and 94 of MERC(Conduct of Business) Regulations, 2004 praying the Commission to to exercise its inherent powers and requesting the Commission to issue necessary directions to MSEDCL to honor the terms and conditions of Article 11.04 of the Energy Purchase Agreement dated 24.6.2014 & amended EPA dated 14.1.2016 entered between the Applicant and the Respondent.

- **Case No. 235 of 2018**

M/s. Markdata Green Energy Private Limited has submitted a Petition on 14.08.2018 under Section 86(1)(E)(K) of the Electricity Act, 2003 read with 93 and 94 of MERC(Conduct of Business) Regulations, 2004 praying the Commission to to exercise its inherent powers and requesting the Commission to issue necessary directions to MSEDCL to honor the terms and conditions of Article 11.04 of the Energy Purchase Agreement dated 24.6.2014 & amended EPA dated 14.1.2016 entered between the Applicant and the Respondent.

The main prayers of the Petitioner are as under-

- a) *Direct MSEDCL to releases the outstanding payments forthwith and no later by 30 days in accordance with Article 11.04 of the EPA;*
- b) *Direct MSEDCL to pay the Late Payment Charges (LPS) due on the outstanding bills immediately in accordance with Article 11.04 of the EPA;*
- c) *Direct that in addition to the above, an interest @ 18% per annum is applicable on the payments as and when to be made by MSEDCL;*
- d) *Pass such further orders as this Hon'ble Commission deems 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 on **Tuesday, 30 October, 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. Markdata Green Energy Private Limited
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Petitioner

The Chief Engineer (Power Purchase),
Maharashtra State Electricity Distribution Co. Ltd
Prakashgad, Plot No G-9,
Anant Kanekar Marg,
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Respondent