

**NOTICE**

Subject: Petition of M/s Green Infra Wind Energy Limited under section 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute qua non-payment of outstanding amount by Maharashtra State Electricity Distribution Company Ltd. for supply of energy by M/s Green Infra Wind Energy Limited under Energy Purchase Agreement executed on 19.07.2007.

- **Case No. 258 of 2018**

M/s Green Infra Wind Energy Limited has submitted a Petition on 30.08.2018 under section 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute qua non-payment of outstanding amount by Maharashtra State Electricity Distribution Company Ltd. for supply of energy by M/s Green Infra Wind Energy Limited under Energy Purchase Agreement executed on 19.07.2007.

The main prayers of the Petitioner are as under-

- a) *direct the Respondent to make a payment of Rs. 37,18,00,408/-towards outstanding principal amount and Rs. 8,92,32,869/- towards Late Payment Surcharge under the Energy Purchase Agreement dated 17.09.2007;*
- b) *direct the Respondent to pay carrying cost to the Petitioner to be determined by this Hon'ble Commission;*
- c) *direct the Respondent to pay pendent lite and future interest on the outstanding amount, to the Petitioner to be determined by this Hon'ble Commission;*
- d) *direct the Respondent to undertake and complete the joint meter reading along with the representative of the Petitioner on the first day of every month for the transaction carried in the preceding month and issue requisite credit report within a period of 15 days from the date of joint meter reading;*
- e) *allow the Petitioner to revise the outstanding amount as reflected under Prayer (a) above, by considering the due date to be the 16th day from the date of joint meter reading;*
- f) *pass order for the cost of the instant legal proceedings in favour of the Petitioner as against the Respondent; and*
- g) *pass such other and further order or orders as this Hon'ble Commission may deem fit and proper under the facts and circumstances of the present case and in the interest of justice.*

**The ad-interim prayers of the Petitioner are as under-**

- a) *pass an ad-interim ex-parte order directing the Respondent to make a payment of admitted amount to the tune of Rs. 31,18,00,408/- being the outstanding principal amount under the Energy Purchase Agreements dated 17.09.2007, pending final disposal of the captioned petition;*
- b) *pass an ad-interim ex-parte order directing the Respondent to make a payment of the recurring bills/invoices as and when the amount under each such invoice is falling due, starting from the month of September, 2018, pending final disposal of the captioned petition;*

- c) *direct the Respondent to undertake and complete the joint meter reading along with the representative of the Applicant on the first day of every month for the transaction carried in the preceding month and issue requisite credit report within a period of 15 days from the date of joint meter reading, pending final disposal of the captioned petition; and*
- d) *pass such other and further order or orders as this Hon'ble Commission deems appropriate under the facts and circumstances of the present case.*

2. I am directed to communicate that the hearing in the above matter will be held on **Tuesday, 13 November, 2018 at 10.00 hrs** in the office of the Commission at 13<sup>th</sup> 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)

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Petitioner

The Chief Engineer (Commercial),  
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Respondent