

**NOTICE**

Subject:- Petition filed by Sun-N-Sand Hotels Pvt Limited for contempt and the execution of the Hon. Commission's Order dated 15<sup>th</sup> January 2019 in Case No 342 of 2018 under Sections 142,146 & 86(1)(f) of the Electricity Act 2003(with amendments) 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. 43 of 2019**

Sun-N-Sand Hotels Pvt Limited has filed a Petition on 13.02.2019 under Section 142, 146 & 86(1)(f) of Electricity Act 2003 for contempt and the execution of the Hon. Commission's Order dated 15<sup>th</sup> January 2019 in Case No 342 of 2018 under Sections 142,146 & 86(1)(f) of the Electricity Act 2003(with amendments) 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-

- i. *To initiate the contempt proceedings for the continued non- compliance of the directives.*
- ii. *direct the Respondent to settle immediately the remaining amounts of the invoices raised for the sale of power up to June 2018 and the DPS as per the reconciled statement as on 10th October 2018.*
- iii. *direct the Respondent to pay the DPS amount for the payments of the invoices from February 2017 to September 2017 made on 01/01/2019 amounting Rs.1,63,77,145/-*
- iv. *direct the Respondent to pay interest on the DPS amounts*
  - a. *Rs. 1,507,141 towards the DPS payments made from April 16, 2017 to January 2nd ,2018 as directed by the Hon. Commission and upheld by APTEL.MERC combined order dated 16th March 2017 in case No . 62 of 2017.*
  - b. *Interest on the DPS amount of Rs.1,63,77,145/- referring point ii of the above prayer for the period from February 2017 to September 2017.*
- v. *to issue proper guidelines with suitable directives for the addressing the Petitioner's apprehensions as detailed in point 6 of this petition.*
- vi. *to permit to add/delete/modify/withdraw any points during the course of the hearing process.*

2. I am directed to communicate that the hearing in the above matter will be held on **Tuesday, 26 March, 2019 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 on affidavit in 1+6 copies to the Commission with documents, if any, on the above mentioned Petition immediately, 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 General Manager (F&A)  
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Maharashtra State Electricity Distribution Co. Ltd  
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Respondent