

NOTICE

Subject:- Petitioner of Modern India Limited for adjudication of dispute between a Solar Energy Generator (Petitioner) and Trading Licensee (GEPL) under Section 86 (1) (f) of the Electricity Act, 2003.

- **Case No. 182 of 2019**

The Petitioner Modern India Limited has filed the Petition on 30.07.2019 for adjudication of dispute between a Solar Energy Generator (Petitioner) and Trading Licensee (GEPL) under Section 86 (1) (f) of the Electricity Act, 2003.

The main prayers of the Petitioners are as under-

- a) *Hold and declare that an amount of Rs. 1,43,16,884.06/- alongwith interest @15% per annum pendelitte is due and payable to the Petitioner by GEPL as detailed in Annexure- D;*
- b) *Direct GEPL to immediately pay an amount of Rs. 1,43,16,884.06/- alongwith interest @15%pendelitte as detailed in Annexure- D;*
- c) *Hold and declare that use of terminology of “Facilitator” would not entitle GEPL to surpass/evade the jurisdiction of this Hon’ble Commission when it effectively carries out the business of trading under the CERC trading license within the periphery of Maharashtra;*
- d) *Initiate appropriate action under Section 142, 146 and 149 of the Electricity Act, 2003 against GEPL for deliberately using terminologies like “Facilitator” to evade the regulatory and statutory provisions.*
- e) *In the interim, to protect the interest of the Petitioner on account of the dubious conduct of GEPL in not making any payments since November, 2016 to November, 2017, direct Respondent No.2 to 6 to make payments of any pending invoices, if not paid till date, directly to the Petitioner and the Petitioner undertakes to pay the agreed charges to GEPL forthwith on the said amount once received.*
- f) *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 **Monday, 16 September, 2019 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 Respondents before the scheduled date of hearing.

5. The Respondents are 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 Petitioners.

4. 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)

Modern India Limited
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Petitioner

Global Energy Private Limited,
301, 3rd Floor,
Mahalaxmi Industrial Estate,
Gandhi Nagar, D.C. Road,
Lower Parel, Mumbai - 400013
E-mail:- abhishek.a@adke.in

Respondent No. 1

Asian Colour Coated Ispat Limited
Plot No. SH 92,
Near Pen, Kopoli Road,
Khopoli - 4210 202

Respondent No. 2

Edelweiss Commodities Services Limited
158, Dani Corporate Park,
1st Floor, Vidyanagri Marg
Kalina, Santacruz East
Mumbai - 400 098

Respondent No. 3

Kalyani Carpenter Special Steel Limited
72-76, Mundhwa Road,
Survey No. 15, Mundhwa
Pune, Maharashtra- 411 036

Respondent No. 4

Unique Estate Development Company Limited
Shop No. 12,
Guru Kripa Society
Near SBI, Evershine Nagar
Malad West, Mumbai- 400 064

Respondent No. 5

Eastern International Hotel
Balraj Sahani Marg, Juhu Beach
Juhu, Mumbai- 400 049

Respondent No. 6