

NOTICE

Subject:- Petition of Kamal Encon Ind. Limited (Formerly KEC IND LTD) under Section 86 (1) (f) of the Electricity Act, 2003 pertaining to adjudication of disputes between kamal Encon Industries Limited and MSEDCL.

- **Case No. 260 of 2019**

The Petitioner Kamal Encon Ind. Limited (Formerly KEC IND LTD) has filed the Petition on 27.09.2019 under Section 86 (1) (f) of the Electricity Act, 2003 pertaining to adjudication of disputes between kamal Encon Industries Limited and MSEDCL.

The main prayers of the Petitioner are as under-

a) *Direct MSEDCL to make the entire due payments immediately in the compliance of the previous orders no 21 of 2019 in favor of applicant and due amount for which has already been jointly determined vide calculation sheet annexed vide pages 5A and 96*

b) *Direct the Respondents to pay carrying cost at the rate of 18% per annum of the delay in payment of the late payment surcharge by the Respondent till the entire due payments are effectively paid*

c. *Direct the respondents to issue immediately all the pending credit notes which has not been issued till date and as a result of which invoices could not be issued.*

d. *Directs the both respondents to complete the entire due balance formalities in single go so that planned commencement period of LTOA must be start w.e.f. 08.11.2019 .*

e. *Direct the respondents to continue the un-interrupted grid granted connectivity for the period of LTOA from 08.11.2019 to 07.11.2031 for non-discriminatory avail ment of captive wind power generating facility.*

f. *Award costs of these proceedings against MSEDCL and in favour of the Petitioner for Rs.2,00,000/-; and*

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

Urgent prayer for interim relief.

i) *Direct the respondents to issue immediately their respective NOCs enabling the applicant to upload online reapplication with the CTU in the first week of October, 2019, failing to which one more month will be wasted and current short term PPA shall also have to be extended for the another 3 months period from 08.11.2019 to 07.02.2020 and all these will result in further irreparable losses to the applicable.*

ii) Pass such other order(s) as the Hon'ble Commission may deem just in the facts of the present case and in the interest of natural justice and equity to the applicant.

2. I am directed to communicate that the hearing in the above matter will be held on **Friday, 18 October, 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.

4. 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 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

Petitioner

Kamal Encon Ind Ltd (Formerly Kec Ind Ltd)
56, Industrial Estate ,
Post Box No 51,
Yamuna Nagar - 135001
E-Mail:- skgupta@kecindustries.com

Respondent No – 1

The Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Plot No G-9, 5th Floor, Prakashgad,
Anant Kanekar Marg,
Bandra (East), Mumbai - 400051
E-mail : - cecommho@gmail.com

Respondent No – 2

The Chief Engineer
Maharashtra State Electricity Transmission Co. Ltd
'Prakashganga', MSETCL,
Plot No. C-19, E – Block,
Bandra Kurla Complex,
Bandra (East), Mumbai - 400051
E-mail:- AGMCA@mahatransco.in