

NOTICE

Subject:- Petition of Pertinent Infra and Energy Limited under Sections 86(1)(f), 142, 146 and 149 of the Electricity Act, 2003 pertaining to adjudication of disputes between Petitioner and Maharashtra State Electricity Distribution Company Limited (MSEDCL) and against non-compliance by MSEDCL of the Order dated February 11, 2019 of the Commission in Case No. 306 of 2018.

- **Case No. 274 of 2019**

Pertinent Infra and Energy Limited has submitted a Petition on 10.10.2019 under Sections 86(1)(f), 142, 146 and 149 of the Electricity Act, 2003 pertaining to adjudication of disputes between Petitioner and Maharashtra State Electricity Distribution Company Limited (MSEDCL) and against non-compliance by MSEDCL of the Order dated February 11, 2019 of the Commission in Case No. 306 of 2018.

The main prayers of the Petitioner are as under-

- a. *Direct MSEDCL to forthwith pay the Petitioner all the amounts due and owing towards the outstanding invoices and DPC for the projects at Bhud [dues as on September 30, 2019 only for reference of Hon'ble Commission are specified in Annex D];*
- b. *Direct MSEDCL to continue to make payments as provided in WEPAs in timely manner and comply with the terms of WEPAs in letter and spirit;*
- c. *Direct MSEDCL to make payments along with DPC in case of any delay in making payment;*
- d. *Direct MSEDCL to forthwith comply with the Order dated February 11, 2019 of this Hon'ble Commission in Case No. 306 of 2018 and pay the Petitioner DPC amounting to Rs.14,99,027.74/- (Rupees Fourteen Lakhs Ninety Nine Thousand Twenty Seven and Seventy Four Paise only) as per the Order dated February 11, 2019 in Case No. 306 of 2018;*
- e. *Direct MSEDCL to forthwith pay the Petitioner carrying cost at the rate of 15% per annum on the delay in payment of DPC in accordance with the Order dated February 11, 2019 of this Hon'ble Commission in Case No. 306 of 2018;*
- f. *Initiate proceedings against MSEDCL and its officers under provisions of the EA, 2003 including sections 142 and 146 of the EA, 2003, for wilful disobedience and for securing compliance of the Orders passed by the Hon'ble Commission;*
- g. *Refer the matter to the Hon'ble High Court for initiation of contempt proceedings against the directors and officers of MSEDCL;*

- h. Order Interim and Ad-interim reliefs in terms of prayers (a) and (d) above;*
- i. Allow the Petitioner to revive this petition in case of further default by MSEDCL under the WEPA's;*
- j. Award cost for these proceedings against MSEDCL and in favour of the Petitioner;*
- k. Pass such other Orders as this Hon'ble Commission may deem fit.*

2. I am directed to communicate that the hearing in the above matter will be held on **Wednesday, 06 November, 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 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),
Maharashtra State Electricity Distribution Co. Ltd
Prakashgad, Plot No G-9,
Anant Kanekar Marg,
Bandra (East), Mumbai - 400 051
E-mail:- cecomm@mahadiscom.in

Respondent