

**NOTICE**

Subject: Petition filed by Orange Maha Wind Energy Pvt. Ltd seeking quashing of the communication / e-mail dated 05.06.2020 issued by Respondent No. 1 and stay on disconnection of the Petitioner's 2 MW Wind Turbine Generator and Application for urgent listing and for seeking Interim reliefs.

Miscellaneous Application filed on 12.6.2020 for urgent listing and for seeking Interim reliefs

-  
Case No 100 of 2020 and MA No. 42 of 2020

The Petitioner Orange Maha Wind Energy Pvt. Ltd has filed this Petition on 9.6.2020 under Section 33(4) r/w Section 86(1)(f) and other relevant provisions of the Electricity Act, 2003 seeking quashing of the communication / e-mail dated 05.06.2020 issued by Respondent No. 1 and stay on disconnection of the Petitioner's 2 MW Wind Turbine Generator, Loc. no. HC-09 situated at Gut No. 187, Village – Kacharewadi, Taluka – Tasgaon, District – Sangli.

The main prayers of the Petitioner are as under-

“

- (a) *Declare that the Impugned Communication dated 05.06.2020 issued by the Respondent No. 1 is arbitrary, illegal and without any authority of law and consequently be pleased to quash and set aside the same;*
- (b) *Direct the MSEDCL to issue Credit Notes to the Petitioner for the energy supplied from the subject WTG till date and for the future period as well towards supply of wind energy by the Petitioners;*
- (c) *Grant ex-parte ad-interim relief against the Respondents by staying the operation of the Impugned Communication dated 05.06.2020 and restraining the Respondents, their servant or agents from taking any coercive steps against the Petitioner, including disconnecting the subject WTG, during the pendency of the present proceedings;*
- (d) *Pass such other order(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the case. ”*

The Petitioner has also file an Application for urgent seeking Interim the prayers are as under:

- (a) *Pending the hearing and final disposal of the Petition, stay the effect and operation of the Impugned Communication dated 05.06.2020;*
- (b) *Pending the hearing and final disposal of the Petition, direct the Respondents to restrain from acting upon or giving effect to the Impugned Communication dated 05.06.2020 and from taking any coercive steps against the Petitioner, including disconnecting the Project;*
- (c) *Pass such other order(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the case.*

The Petitioner on 12.6.2020 subsequent to filing of Petition has filed a Miscellaneous Application for Urgent Interim Reliefs. MA No. 42 of 2020

- (a) *Pending the hearing and final disposal of the Petition, direct MSEDCL to reconnect the 2MW subject WTG of the Petitioner and allow for power to be supplied from the Project;*
- (b) *Pending the hearing and final disposal of the Petition declare that the action and operation by the Respondents in terms of Impugned Communication dated 05.06.2020, is illegal and arbitrary;*
- (c) *Pass such other order(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the case.*

1. I am directed to communicate that the Petitioner is directed to immediately serve a copy of its above-mentioned Petition in soft copy to the Respondents and hard copy immediately after the lockdown is over and file acknowledgement to the office of the Commission thereafter.
2. The Respondents are directed to submit the say with documents if any, in soft copy on the above –mentioned Petition immediately with a copy to the Petitioner and on affidavit in 1+6 copies to the Commission **within 3 days on or before 22 June 2020**, after lockdown is over with a copy to the Petitioner.
3. 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.
4. I am directed to communicate that e-Hearing in this matter is scheduled on **Friday, 26 June 2020 at 10.30 am**. Kindly refer the Practice Directions dated 11 May 2020 available on MERC website ([www.merc.gov.in](http://www.merc.gov.in)) for the protocol to be followed for and during the e-Hearing.
5. Petitioner(s) and Respondent(s) shall communicate the name(s), email ID(s), contact number(s), and the address(es) of their Representative(s) (maximum 3 persons) who will be attending e-Hearing. MERC – IT Team will communicate the credentials for login into e-Hearing Application and will also provide assistance for using this Application.

6. Documents to be referred during the e-Hearing shall be emailed to '[ehearing@merc.gov.in](mailto:ehearing@merc.gov.in)' at least one day before the scheduled e-Hearing. The said documents will be uploaded in e-Hearing Application for reference of the Commission and all concerned parties. During the e-Hearing, parties shall refer these uploaded documents only.
7. All communication related to e-Hearing shall be made on '[ehearing@merc.gov.in](mailto:ehearing@merc.gov.in)' mentioning MERC Case number.

Sd/-  
(R. S. Sonawane)  
Dy. Director (Legal)

Orange Maha Wind Energy Pvt. Ltd.  
Having its registered office at F-9, First Floor,  
Manish Plaza – 1, Plot No.7, MLU, Sector 10  
Dwarka, New Delhi – 110075  
E-mail: [Vaidehi.Naik@neetiniyaman.co](mailto:Vaidehi.Naik@neetiniyaman.co)

Petitioner

The Chief Engineer (RE),  
Maharashtra State Electricity Distribution Co. Ltd  
Plot No G-9, Prakashgad, 5th floor, Station Road,  
Bandra (East), Mumbai – 400051  
E-mail : [ceremsedcl@gmail.com](mailto:ceremsedcl@gmail.com)

Respondent No - 1

Maharashtra State Load Despatch Centre  
Thane - Belapur Rd, MSEB Staff Colony,  
TTC Industrial Area, Airoli, Navi Mumbai,  
Maharashtra 400708  
E-mail: [-cesldc@mahasldc.in](mailto:-cesldc@mahasldc.in)

Respondent No - 2

Maharashtra Electricity Development Authority  
MHADA Commercial Complex,  
II Floor, Opp. Tridal Nagar,  
Mumbai- 400051  
Email: [nodalofficer@mahaurja.com](mailto:nodalofficer@mahaurja.com)

Respondent No - 3