

NOTICE

Subject:- Petition of SMW ISPAT Private Limited (Formerly known as Mahalaxmi TMT Pvt. Ltd). seeking Review of the Order dated 22.10.2020 passed by this Hon'ble Commission in Case No.175 OF 2017 under Section 94 of the Electricity Act, 2003 read with Regulation 85 of the Maharashtra Electricity Regulatory Commission (Conduct of Business) Regulations, 2004.
-
Case No. 220 of 2020

The Petitioner SMW ISPAT Private Limited (Formerly known as Mahalaxmi TMT Pvt. Ltd). filed Petition on 20.11.2020 under Section 94 of the Electricity Act, 2003 read with Regulation 85 of the Maharashtra Electricity Regulatory Commission (Conduct of Business) Regulations, 2004. Limited seeking Review of the Order dated 22.10.2020 passed by this Hon'ble Commission in Case No.175 of 2017 under Section 94 of the Electricity Act, 2003 read with Regulation 85 of the Maharashtra Electricity Regulatory Commission (Conduct of Business) Regulations, 2004.

The prayer is as under:

1. *To admit the present Petition and to dispose off the same on merit.*
2. *Hold and declare that the grounds raised herein are in favour of the Petitioner and against the Respondents.*
3. *To allow the Review Petition and set aside/ recall the impugned order dated 22.10.2020 passed by this Hon'ble Commission in case No. 175 of 2017 in directing/ allowing the 1st Respondent to levy Cross Subsidy Surcharge and other applicable charges on the Captive Users/ shareholders of Sai Wardha Power Generation Ltd. for FY 2016-17.*
4. *Hold that the 1st Respondent is not entitled to raise any bills pursuant to the Impugned order passed by this Hon'ble Commission;*
5. *To set aside the Impugned Bill, Annexure-1 hereto, issued by the 1st Respondent based on the Impugned Order;*
6. *Pending the hearing and final disposal of this Review Petition, to stay the operation, execution, implementation of the Impugned Order at least in respect of the Petitioner herein;*
7. *Pending the hearing and final disposal of this Review Petition, to stay the operation, execution, implementation of the Impugned Bill, Annexure-1 hereto, issued by the 1st Respondent.*

8. *Pending the hearing and final disposal of this Review Petition, the 1st Respondent be kindly restrained from taking any coercive action including the disconnection of power supply as mentioned in the impugned bill.*
 9. *Pass such other and further orders as this Hon'ble Commission may deem fit and appropriate in the interest of natural justice.*
 10. *Pass such further order in favour of the Petitioner herein as this Hon'ble Commission may deem fit and proper in the interest of equity, justice and good conscience.*
1. I am directed to communicate that the Petitioner is directed to implead Adani Electricity Mumbai Limited as Respondent and to immediately serve a copy of its above-mentioned Petition in soft copy to the Respondent 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 within 15 days with a copy to the Petitioner and on affidavit in 1+6 copies to the Commission immediately, 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 **Thursday, 26 November 2020 at 10.30 am**. Kindly refer the Practice Directions dated 11 May 2020 and amended on 13 July, 2020 available on MERC website (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' 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' mentioning MERC Case number.

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

SMW ISPAT Private Limited
(Formerly known as Mahalaxmi TMT Pvt. Ltd).
B/306-309, 3rd Floor, Dynasty Business Park,
A.K. Road, J.B. Nagar, Andheri (E),
Mumbai – 400059
E-mail: vijsolicitor@gmail.com

Petitioner/Applicant

Mahalaxmi TMT Private Limited
Plot No.C2, MIDC Deoli,
E-mail: - cr.dad@mahalaxmisteel.com
crdad2@gmail.com

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 : - cecomm@mahadiscom.in/ cecommho@gmail.com
ashish.11.singh@gmail.com / anilm15567@gmail.com

Respondent No. 1

Sai Wardha Power Generation Limited
8-2-293/82/A/431/A
Road No.22 Jubilee Hills,
Hyderabad - 500033
Email: - sreekanth_a@sk.co.in/ anand@msapartners.in /
swapna@msapartners.in

Respondent No. 2

Tata Power Company Limited
Bombay House,
24, Homi Mody Street,
Fort, Mumbai - 400001
E-mail:bhaskar.sarkar@tatapower.com/
abhishek.munot@jsalaw.com / malcolm.desai@jsalaw.com

Respondent No. 3

The Chief Engineer
Maharashtra State Load Dispatch Centre,
Kalwa, Thane - Belapur Road,
Airoli, Navi Mumbai - 400708
E-mail: cesldc@mahasldc.in/ edmsebholding@gmail.com /
seeamslcd@gmail.com

Respondent No. 4

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 / cestu@mahatransco.in /
se.rc.stu@gmail.com

Respondent No. 5

Adani Electricity Mumbai Limited
CTS 407/A (New), 408 Old Village,
Eksar Devidas Lane, Off SVP Road ,
Borivali West, Mumbai - 400103
Email :- ajit.barodia@adani.in/ manish1.kumar@adani.com/
kishor.patil@adani.com/ Abaji.Naralkar@adani.com

Impleaded
Respondent No - 6