

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400 005.
Tel. No. 022 22163964/65/69 – Fax 022 22163976
E-mail mercindia@mercindia.org.in
Website: www.mercindia.org.in

Case No. 83 of 2006

In the matter of
Petition of M/s. Girija Steels Pvt. Ltd. seeking clarification of MSEDCL Tariff
Order dated October 20, 2006 in Case No. 54 of 2005.

Dr. Pramod Deo, Chairman
Shri. A. Velayutham, Member
Shri. S. B. Kulkarni, Member

INTERIM ORDER

Dated: 18th April, 2007

M/s. Girija Steels Pvt. Ltd. (“GSPL”), Aurangabad have filed a Petition before the Commission on March 15, 2007 seeking certain clarifications with respect to an Order dated October 20, 2006 passed by the Commission in Case No. 54 of 2005.

2. A hearing was held in the matter on April 17, 2007. Shri Vijay Thorat, Counsel appeared for GSPL. Smt. Deepa Chawan, Counsel appeared for Maharashtra State Electricity Distribution Company Ltd. (“MSEDCL”), who are the proforma Respondents in this matter.

3. GSPL have prayed that pending the hearing and final disposal of the present Petition, the bill pertaining to February, 2007 amounting to Rs 15,50,000/- be stayed by this Commission by way of issuance of an interim Order under Section 94(2) of the Electricity Act, 2003. Counsel for GSPL and Counsel for MSEDCL both agreed that in the event, as an outcome of the final disposal of this matter as and by way of clarification as sought for, GSPL are deemed not to be liable to pay the Additional Supply Charge (ASC), GSPL shall be entitled for adjustment of the said charges for which the cheque has been deposited, in future bills. Similarly, in the event, as an outcome of the final disposal of the matter by way of clarification, MSEDCL is entitled to the ASC pertaining to February 2007 as claimed for, from GSPL, GSPL shall be liable to pay the delayed payment charge with interest as applicable under law on the principal amount of ASC recoverable as arrears by MSEDCL. MSEDCL



will not encash the cheque for an amount of Rs 15,50,000/- deposited earlier by GSPL with MSEDCL in terms of the orders dated March 6, 2007 and March 29, 2007 passed by the Hon'ble High Court of Judicature of Bombay, Aurangabad Bench, till the final disposal of this matter.

Sd/-
(S.B. Kulkarni)
Member

Sd/-
(A. Velayutham)
Member

Sd/-
(Dr Pramod Deo)
Chairman



(Smt. Malini Shankar)
Secretary, MERC