

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

Case No. 18 of 2008

In the matter of
Petition filed by MSEDCL seeking review of Order dated February 16, 2008.

Shri A. Velayutham, Member
Shri S. B. Kulkarni, Member

Maharashtra State Electricity Distribution Co. Ltd
Prakashgad,
Bandra (E),
Mumbai 400 051

... Applicant

ORDER

Dated: July 14, 2008

MSEDCL filed a Petition on April 2, 2008 seeking a review of the Commission's Order dated February 16, 2008 passed in Case No.56 of 2007 on the ground that the issues covered under the said order are sub judice before the Hon'ble Supreme Court in Appeal 20304 of 2007. Hearing was held in the matter on June 10, 2008. Shri Abhishek Khare, Counsel appeared for MSEDCL. Shri Pratap Hogade represented Maharashtra Rajya Veej Grahak Sanghatna. Dr. Ashok Pendse represented Mumbai Grahak Panchayat.

2. Counsel for the Petitioner submitted that he has instructions from his clients to state that since MSEDCL has already implemented the Commission's Order dated February 16, 2008, nothing survives in his Petition and, therefore, he does not want to go ahead with the Review Petition. Counsel submitted that one Circular dated May 20, 2008 has been issued by MSEDCL for compliance by its various officials. This Circular, as contended by Counsel, implements the order dated February 16, 2008 making his present Review Petition infructuous. In view of the submission made by the Counsel for MSEDCL that he does not want to pursue his Petition, the present petition hereby stands dismissed. The Commission, however, does not wish to express any opinion on the issue whether the said Order dated February 16, 2008 has indeed been implemented by MSEDCL as Counsel for MSEDCL submitted that he will file a separate proceeding on the issue whether the said order dated February 16, 2008 has indeed been implemented.



In view thereof, all issues shall remain open relating to the implementation of the Commission's Order dated February 16, 2008.

Sd/-
(S.B. Kulkarni)
Member

Sd/-
(A. Velayutham)
Member



(P.B. Patil)
Secretary, MERC