

COURT-II

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

IA No. 60 of 2016 in Appeal No. 221 of 2014

Dated : 03rd February, 2016

**Present: Hon'ble Mr. Justice Surendra Kumar, Judicial member
Hon'ble Mr. T. Munikrishnaiah, Technical Member**

In the matter of:

**Mula Paravara Electric Co-operative Society Ltd. Appellant(s)
Versus
Maharashtra Electricity Regulatory Commission & Ors. Respondent(s)**

Counsel for the Appellant (s) : -
Counsel for the Respondent (s) : Mr. Buddy A. Ranganadhan,
Mr. S. Venkatesh,
Mr. Anuj P. Agarwala &
Mr. Shashank Khurana for R-1
Mr. Aditya Dewan for R-2

ORDER

IA No. 60 of 2016 in Appeal No. 221 of 2014 decided by this Tribunal's Judgment dated 13.03.2015 has been moved on behalf of the Maharashtra Electricity Regulatory Commission seeking further extension of time for four month to comply with the directions given in the said Judgment. Vide the said Judgment, we have provided six months' time to the State Commission to complete the exercise, which had already expired on 30.09.2015. Extension was sought by the State Commission which we allowed believing that the State Commission in its sincerity will comply with our directions in letter and spirit. Thus, the extended period of four months expired on 30.01.2016.

Again extension application being IA No. 60 of 2016 has been filed by the State Commission seeking further extension of four months submitting that for the purpose of valuation of the assets of the Mula Pravara Electric Co-operative Society Ltd., the State Commission has appointed a Consultant and said Consultant has already submitted his report to the State Commission. Now, the State Commission has to hear both the parties, namely, Mula Pravara Electric Co-operative Society Ltd. & the MSEDCL on the said report of the Consultant and then determine the valuation of the assets of Mula Pravara Electric Co-operative Society Ltd. One more submission of the State Commission is that the Mula Pravara Electric Co-operative Society Ltd. itself caused a reasonable delay in submitting assets register to MSEDCL due to which this Tribunal's Judgment could not be complied with.

Learned Counsel for the State Commission further submits that two to three hearings are required to finalize the valuation of the assets of Mula Pravara Electric Co-operative Society Ltd. for which four months' time is required. In these circumstances, we allow three months' time to the State Commission to complete the whole exercise and dispose of this IA accordingly subject to the condition that no further time will be given at any cost. We further make it clear that if any of the parties to this Tribunal's Judgment would not furnish the required details, the State Commission is free to take recourse to the provisions as provided under the Rules & Regulations of the State Commission and act upon them accordingly.

Post the matter for **02.05.2016**.

(T. Munikrishnaiah)
Technical Member

(Justice Surendra Kumar)
Judicial Member

hcj/dk