

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION
BHOPAL**

Sub: Petition under Section 42, 86, 142, 146, and 149 of the Electricity Act, 2003 read with Regulations 46 of the MPERC (Conduct of Business) Regulations, 2004 and this Hon'ble Commission's Order dated 11.08.2004 passed in Petition No. 10 of 2004 titled M/s. Gwalior Chemical Industries Ltd., v. MPSEB & Anr. Challenging MP Paschim Kshetra Vidyut Vitaran Co. Ltd.'s ex-facie illegal demands dated 18.11.2022, 05.10.2023, 11.10.2023 and 29.12.2023 retrospectively levying Cross Subsidy Surcharge and Additional Surcharges, for the period FY 2011-12 to FY 2022-23, on emergency power drawn by M/s. LANXESS India Pvt. Ltd., from M/s. Grasim Industries Ltd., during outage of grid supply and consequent notice dated 14.01.2025 threatening to disconnect power supply to the plant.

Petition No. 10 & IA No. 01 of 2025

DAILY ORDER

**(Hearing through video conferencing)
(Date of Hearing: 07th February' 2025)
(Date of Daily Order: 07th February' 2025)**

M/s LANXESS India Pvt. Ltd.,
LANXESS HOUSE,
Plot Nos. A 162-164, Road No. 27, M.I.D.C.,
Wagle Estate, Thane (W) – 400064, MH, India

-Petitioner

(1) Managing Director,
MP Paschim Kshetra Vidyut Vitaran Co. Ltd.,
GPH, Polo Ground,
Indore – 452003

(2) M/s Grasim Industries Ltd.,
Staple Fiber Division,
Village Birlagram, Nagda,
Ujjain MP – 456331

-Respondent(s)

Shri Malcolm Desai, Advocate appeared on behalf of the petitioner.

Matter has been listed for hearing today and IA for urgent hearing of the petition stands disposed of. The petitioner presented the genesis of the case and requested to admit the petition and grant interim protection against disconnection of power supply till disposal of the case. Commission noted that there is no IA filed by petitioner accompanied with requisite fee regarding interim relief but the prayer for the same has been made in the main petition. Petitioner committed to deposit requisite fee for IA on interim relief by today itself. After hearing the matter, petition is admitted and respondent is directed not to take any coercive actions against the petitioner till further orders.

Petitioner is directed to serve copy of the petition to the Respondents within 3 days. Respondents are directed to file their reply with a copy to petitioner within 10 days of

Sub: Petition under Section 42, 86, 142, 146, and 149 of the Electricity Act, 2003 read with Regulations 46 of the MPERC (Conduct of Business) Regulations, 2004 and this Hon'ble Commission's Order dated 11.08.2004 passed in Petition No. 10 of 2004 titled M/s. Gwalior Chemical Industries Ltd., v. MPSEB & Anr. Challenging MP Paschim Kshetra Vidyut Vitaran Co. Ltd.'s ex-facie illegal demands dated 18.11.2022, 05.10.2023, 11.10.2023 and 29.12.2023 retrospectively levying Cross Subsidy Surcharge and Additional Surcharges, for the period FY 2011-12 to FY 2022-23, on emergency power drawn by M/s. LANXESS India Pvt. Ltd., from M/s. Grasim Industries Ltd., during outage of grid supply and consequent notice dated 14.01.2025 threatening to disconnect power supply to the plant.

receiving copy of the petition. Petitioner may file rejoinder, if any in the next 7 days. The case is listed for hearing on 05.03.2025.

(Prashant Chaturvedi)
Member

(Gopal Srivastava)
Member (Law)