

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub: In the matter of petition under Section 43 of the Electricity Act 2003 read with Regulation 4.43 of MP Electricity Supply Code 2013 (P.No. 24/2021)

Order

(Hearing through Video Conferencing)

Date of order: 06/12/2021

M/s Sahara Prime City Ltd., Indore : **Petitioner**

V/s

MP Paschim KVVCL, Indore (West Discom) : **Respondent**

- i. Shri Motilal Tahilramani, advocate appeared on behalf of the Petitioner.
 - ii. Shri Vikas Kumar, EE appeared on behalf of the Respondent.
1. Subject petition is filed by the petitioner under Section 43 of the Electricity Act 2003 read with Clause 4.43 of MP Electricity Supply Code 2013. The petitioner has made prayer to pass suitable order, directing the Respondent to extend the time period of temporary HT connection in favour of the petitioner.
 2. The petitioner stated that it had applied for a temporary HT connection of 250 kVA for construction purpose, which was duly sanctioned by Respondent West Discom on 16.06.2015. Subsequently, the temporary electric connection was further extended by West Discom up to 26.06.2020 but due to Covid outbreak, the construction work was held up and could not be taken up. Thereafter, petitioner vide letter dated 22.05.2020 has sought further extension for temporary connection which was denied by the Respondent West Discom citing the reasons that as per clause 4.43 of MP Supply Code 2013, temporary connection for construction purpose can be granted for maximum 5 years period and therefore further extension could not be permitted.
 3. Petitioner has stated that in order to complete their construction works, they need the supply for one more year.
 4. At the Motion hearing held on 20.07.2021, on request of Counsel for the petitioner, the case was adjourned. The Commission held the next motion hearing on 24.08.2021 and admitted the petition. The Commission vide daily order dated 31.08.2021 directed to issue notice to the Respondent and directed the Petitioner to serve copy of subject petition to the Respondent within three days and report its compliance to the Commission.

5. During the next hearing held on 21.09.2021, the petitioner was heard in regard to delay in serving the copy of petition to the respondent. The Commission has decided to condone the delay on request of petitioner and Respondent was granted 15 days' time for filing the reply. Petitioner was directed to file its rejoinder within one week, thereafter.
6. The Commission held the hearing on 16.11.2021, and observed that Respondent has filed its reply while Petitioner has not filed its rejoinder till date. During the hearing, the Counsel appeared for petitioner sought further adjournment for filing the rejoinder citing personal reasons. The Commission vide daily order dated 17.11.2021 granted time of one week to petitioner for filing rejoinder and reserved the case for order.
7. The respondent in its reply stated that the petitioner's contention is that for completing the remaining construction work he needs extension of temporary HT connection at least for one more year. The Respondent submitted that a new temporary connection to the petitioner was already sanctioned in the month of December 2020 and hence the petition is infructuous and deserves to be dismissed.
8. Subsequently, the petitioner filed an application on 25/11/2021 for withdrawal of petition and made following submission :-
"That upon reply filed by the respondent it was found that the petition suffers from technical reasons as the same was filed with respect to earlier connection obtained by the petitioner Co., so it will be just and proper that the petitioner be permitted to withdraw the petition with liberty to file a fresh, if so required".
9. The Commission has considered the request made by the petitioner and allowed him to withdraw the petition. With the above direction, petition is disposed of.

(Shashi Bhushan Pathak)
Member (Law)

(Mukul Dhariwal)
Member

(S.P.S. Parihar)
Chairman