

**JOINT ELECTRICITY REGULATORY COMMISSION FOR
THE STATE OF GOA AND UNION TERRITORIES
GURGAON**

Quorum *
Shri S.K.Chaturvedi, Chairperson
Petition No. 144/2014
Date of Order 13.11.2014

In the matter of

Petition under Section 62 (6) of the Electricity Act, 2003 for recovery of excess amount of Rs. 4,82,213/- in flagrant disregard to Electricity Act, 2003 as well as Rules and Regulations framed time to time by the Commission.

And in the matter of

M/s Perfect Filaments Ltd.

.....Petitioner

Versus

Electricity Department- Daman & Diu

.....Respondent

Present for Petitioner

1. Sh. Praveen Kumar, Advocate, M/s Perfect Filaments Ltd.

Present for Respondent

1. Sh. Chandresh V. Dobariya, Consultant, ED- Daman & Diu

Order

The petitioner - M/s Perfect Filaments Ltd. has filed the present petition under Section 62 (6) of the Electricity Act, 2003 for recovery of excess amount of Rs. 4,82,213/- in flagrant disregard to Electricity Act, 2003 as well as Rules and Regulations framed time to time by the Commission.

The petition was received in the Commission on 10.09.2014. The Commission examined the petition and found it in line with the JERC (Conduct of Business) Regulations, 2009 and Electricity Act, 2003. The Commission admitted the petition on 15.09.2014.

The Commission sent hearing notice to the parties for today dated 13.11.2014. The representative of the respondent ED- Daman & Diu appeared.

Counsel for the petitioner explained salient features of the petition. The Commission heard the Counsel for the petitioner and representative of the respondent for some time.

The representative of the respondent prayed for one month time for filing reply of the petition on the ground that they have not received copy of the petition. The Commission considered the prayer of the representative of the respondent and acceded the same. The Commission directed the respondent to file reply within three weeks with advance copy to the petitioner.

The Commission also directed the petitioner to file rejoinder, if any, well in time with advance copy to the respondent.

The petition is scheduled for hearing on 17.12.2014 at 11:00.

Sd/-

(S.K.Chaturvedi)

Chairman

Member (Vacant)

- * As per Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 "Quorum is two". Whereas as per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 if Chairperson or the Member is prevented from attending hearing of which he has been given notice the Member or the Chairman as the case may be attending the meeting shall validly constitute the Quorum. Post of the Member is vacant. According to provisions of Section 93 of the Electricity Act, 2003 no act or proceedings of the appropriate Commission shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the Constitution of the appropriate Commission. So the Chairperson only constitute a valid Quorum.

Certified Copy



(Keerti Tewari)

Secretary