



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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**EE/CGRF/Kalyan/**

Date of registration : 26/10/2017

Date of order : 01/11/2017

Total days : 7

**IN THE MATTER OF GRIEVANCE NO. K/E/1266/1492 OF 2017-2018 OF HARI OM DEVELOPERS, 347, NEW -760, OLD HISSA NO.18, BHARAT RAJ KATE CHAWL, GARIBACHAWADA, DOMBIVALI (W), PIN CODE 421 202, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.**

Hari Om Developers,  
347, New -760, Old Hissa no.18,  
Bharat Raj Kate Chawl,  
Garibachawada, dombivali (w),  
pin code 421 202.

(Consumer No.020480174551) ... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution  
Company Limited  
Through it's Nodal Officer/Addl.EE.  
Kalyan Circle-I,

... (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri Rajendra Marke –Dombivali (W) S/dn-III.  
For Consumer – Shri V. K. Kanchar.

[Coram- Shri A.M.Garde-Chairperson, Shri A.P. Deshmukh-Member Secretary  
Mrs.S.A.Jamdar- Member (CPO)].

1) Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressed Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'. Further the regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission. Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation)

Regulations, 2014.’ Hereinafter referred ‘SOP’ for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014’.

2) The consumer herein bearing no.020480174551 apprehended disconnection of supply and move this Forum challenging the basis thereof viz. assessment of Rs.163575/- made for the period from October-2015 to February -2016 @ 2893 unit per month.

3) Licensee filed reply stating that The Executive Engineer, Dombivali Division inspected present consumer on 04.08.2017 and gave instruction to the Dombivali west sub division -III

4) In March -2016 the meter of consumer was burnt where upon after taking burnt meter charges from consumer new meter no.12538505 was installed. The old meter no. 03371723 was not showing proper reading. In particular under billing was detected. The new meter was showing monthly consumption of 2893 unit. For the period July 2017 and March-2016 total units were 46292. On that basis the bill for the period from October-2015 to February -2016 was calculated by the licensee.

5) We have heard both sides. during argument it was clearly seen that the supply was connected in April -2015. Reading was normal till September-2015 October & November reading were not taken by licensee. There after in February-2016 status was normal and reading was taken and bills were paid by the consumer. In march -2016 the meter was burnt and new meter was installed. Inspection was made in 04.08.2017. Then the units were calculated from march-2016 to July 2017 and suddenly The Executive Engineer, Dombivali Division has given direction to Dombivali sub division -III made the assessment of the recovery for the period prior to meter replacement as per new meter consumption. There is absolutely no basis to this abrupt recovery. This appears to be totally arbitrary.

6) Consumers submits that there has to be change in the amount of consumption considering previous use when the project just began and literly when the construction actually started. The action taken by The Executive Engineer Dombivali & sub division - III is totally arbitrary. Consumer is building contractor, he has to handover possession of the flats to buyers. In this situation The Executive Engineer & sub division -3 have threatened consumer to disconnect the supply. Consumer also showed a letter of the Executive Engineer in which even new connection to his new residential complex is withheld. The entire action of The Executive Engineer, Dombivali & sub division -III is alleged, arbitrary and causing great hardship to consumer.

7) In above view of the matter immediate relief to the consumer is warranted hence the order.

**ORDER**

- 1) Grievance application of consumer stands allowed.
- 2) The impugned assessment and recovery of Rs.163575/- is quashed and set aside.
- 3) Licensee is directed not to disconnect supply of the consumer on the basis of above said recovery.
- 4) Licensee is also directed not to withhold supply connection to the newly constructed residential complex of the consumer on the basis of the above assessment and recovery.
- 5) Licensee is directed to pay to the consumer Rs.5000/- by way of compensation for harassment. The said amount may be recovered from The Executive Engineer and/or Addl. Executive Engineer, Dombivali West sub division -III after making due enquiry .
- 6) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date:01/11/2017 .

(Mrs.S.A.Jamdar)  
Member  
CGRF, Kalyan

(A.P.Deshmukh)  
Member Secretary  
CGRF, Kalyan.

(A.M.Garde)  
Chairperson  
CGRF, Kalyan.

- a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address.  
*“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission,606/608, Keshav Bldg, Bandra Kurla Complex,Mumbai 51”.*
- b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or
- c) delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address:-  
“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”
- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.

