



**Consumer Grievance Redressal Forum, Kalyan Zone**  
 Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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<b>No. EE/CGRF/Kalyan/</b>	<b>Date of Grievance : 16/10/2017</b>
	<b>Date of order : 20/11/2017</b>
	<b>Total days : 36</b>

**IN THE MATTER OF GRIEVANCE NO. K/N/147/1482 OF 2017-18 IN RESPECT OF SHRI. SEWAL PAJUMAL GURBANI, SHOP NO.19, USHA COMMERCIAL COMPLEX, GOODS ROAD, KALYAN, DIST. THANE REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING BILLING DISPUTE.**

Shri. Sewal Pajumal Gurbani,  
 Shop No.19, Usha Commercial Complex,  
 Goods Road, Kalyan, Dist. Thane  
 Pin Code-421 301.  
 (Consumer No.020024320643) .... ( Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution Company Limited  
 through its Nodal Officer,  
 Kalyan Circle II, Kalyan. .... (Hereinafter referred as Licensee)

**Appearance :**

**For Licensee -** 1) Shri P.L.Kohale, A.E.E., Kalyan (W) - S/dn-III.  
 2) Shri. T.S.Hindurao, AE, Kalyan (W) - S/dn-III.

**For Consumer -** Shri J.S.Rajput - (C. R.)

[Coram- Shri A.M.Garde-Chairperson, Shri A.P. Deshmukh-Member Secretary and 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 Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal 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. [Electricity Supply Code and other conditions of supply Regulations 2005]

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.

- 2) The consumer herein, when applied for a new connection to his residential premises was given a letter showing arrears bill on the said premises in respect of a previous connection bearing consumer no. 020020369320 of the year 2002 in the name of another person. This consumer paid the total amount of Rs.14480/- as demanded due to his urgency to obtain the supply. Consumer herein prays for refund the said amount on the ground that he is not liable to pay the arrears. He also prays for SOP compensation as per Law.
- 3) Reply has been filed by the Licensee, in which it is contended that on 20/06/2017 the application was received for new connection. On 22/06/2017 letter of arrears was given to the consumer payment of arrears was made by consumer on 20/07/2017. On 22/08/2017 Firm Quotation for Rs.3099/- was given to consumer. Consumer paid the amount on 16/09/2017 as per receipt no. 9637300 and produced the receipt on 05/10/2017. On 06/10/2017 the connection was released.
- 4) We have heard both sides, P.D. was done in 2002. The arrears shown are not in the name of the present Consumer. It appears to be of previous occupant. Regulation 10.5 of the supply code will apply and for that first we have to ascertain the amount of recoverable dues, the question whether entire arrears are to be recovered or only for prior six month period will come later on. CPL is examined. It is revealed that the billing shown for the period prior to P.D. is baseless without any reading. All the figures shown are under RNA. This being so, no recoverable arrears prior is P.D. are proven, as such the arrears have to be struck of.
- 5) So far as SOP is concerned we do not see any merit in the consumers claim. It was submitted that payment was made on 22/06/2017 but Firm Quotation was given on 22/08/2017. Licensee submits that though payment was made on 22/06/2017 the receipt was produced in Licensee's office on 05/10/2017. We have examined the record but do not find any evidence to show that receipt was produced on any earlier date . That being so, if the receipt was produced in the office on 05/10/2017 and the connection was release on 06/10/2017 we seen no SOP violations.

In the above view of the matter we pass the following order.

**ORDER**

- 1) Grievance application of consumer is hereby allowed.
- 2) The arrears bill of Rs.14480/- is struck off.
- 3) Licensee to refund the amount of Rs.14480/- to consumer along with interest at RBI rate.
- 4) Prayer for SOP compensation stands rejected.
- 5) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date : 20/11/2017

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

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

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

**NOTE**

- 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.