



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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No. **K/N/144/1286 of 2016-17**

Date of Grievance : 10/10/2016

Date of order : 07/04/2017

Total days : 177

**IN THE MATTER CASE OF GRIEVANCE No. K/N/144/1286/2016-17 IN RESPECT OF SHRI SURESH KISHINCHAND MAKHIJA, BARRAK NO. 1490, ROOM NO.2, 30<sup>TH</sup> SECTION, ULHASNAGAR-4, DIST. THANE, PIN CODE-- 421004, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING NEW CONNECTION.**

Shri Suresh Kishanchand Makhija,  
Barrack No.1490, Room No.2,  
30<sup>th</sup> Section,  
Ulhasnagar-04, Dist. Thane.  
Pin Code – 421 004.

..... (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited  
Through it's Nodal Officer  
MSEDCL,  
Kalyan Circle-II.

..... (Hereinafter referred as Licensee)

Appearance : - For Licensee : Shri R.T.Pawar-AEE- Ulhas-S/dn-IV.  
Shri S.V.Gajbhiye-Asst.Engg.Ulhas-S/dn-IV.  
For Consumer: Rajput - CR. &  
Consumer- S.K.Makhija – in person.

[Coram- Shri A.M.Garde-Chirperson, Shri L.N.Bade-Member Secretary and  
Mrs.S.A.Jamdar- Member (CPO)].

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. 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] As submitted by the CR that these are three cases filed by families of three brothers for three separate meters in their names for the residential premises bearing Barrack No.1490, room No.2 on account of some internal dispute. They were granted the connection, but before actual execution of the sanction order, Licensee has raised a bill for Rs. 88588/- of consumer No.021514070862 allegedly of the same premises and asked these complainants / applicants to pay the said PD arrears else refused to release the connection.

3] We have heard both sides. Complainants / applicants herein have asked for three separate connections in Barrack No.1490 room No.2. Licensee has shown PD arrears in respect of room No.1. Complainant / applicant herein state that they have no concern with room no.1. The name appearing in the bill raised is also different i.e. Passumal . Licensee has

produced a bill purporting to be of room nos. 1 and 2. There is only one such bill. The CPL is of room no.1 and in the name of Passumal. There is no document produced by the Licensee to show that room no.1 is of the complainants / applicants. Complainants/applicants therefore, alleged that Licensee is trying to recover the dues of some other consumer of room no.1 while granting connection to them. In fact the connections were already granted but have been withheld illegally to harass the complainants/applicants.

4] We have given careful consideration to the contention raised on either side. As we see there are two premises viz barrack No.1490, room No.1, and 1490 room No.2. The Licensee emphatically contends that consumer No. 021514070862 was very well in the same premises where the new connections are sought. They have produced one bill of the said number on premises of barrack No.1490 /1 & 2. There is no clarity that there is one more separate premises of barrack No.1490/1. But then we feel that Licensee may not withhold the connection to the complainants / applicants for non payment of PD dues of room no.1. At the most the question of recovery of the bill in respect of room no.1 may be kept open and connections may be released to the complainants / applicants.

5] So-far-as SOP is concerned, as we see there is no clear evidence that there is separate premises described as barrack No.1490 / room No.1. Officials may be in good faith raising the contentions to avoid revenue loss. Hence SOP may not be granted.

This matter could not be decided within time as hearing was going on each and every date and parties wanted to produce some documents and therefore, delay is caused.

Hence the order.

**ORDER**

- 1] Application of the applicant is allowed.
- 2] Licensee is directed to release the electricity connection to the complainants / applicants in all three cases as per respective sanctions.
- 3] The question of recovery of the dues in respect of Barrack no.1490, room no.1 is kept open to be agitate before appropriate Forum.
- 4] Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Dated: 07/04/2017.

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

(L.N.Bade)  
Executive Engineer,  
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.

