



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122

IN THE MATTER OF GRIEVANCE NO. K/N/030/339 OF 09-10 OF MRS. SULOCHANA PANDURANG SHINDE, DOMBIVALI, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT CHANGE OF NAME.

Mrs. Sulochana Pandurang Shinde
Vastu D, Shop No. 19,
Lodha Heritage, Nandivali Road,
Dombivali (East), Dist : Thane

} (Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Dy. Executive
Engineer, Kalyan East Sub-Division No. 3

} (Here in after
referred to
as Licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission (MERC) vide powers conformed on it by section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a single phase LT consumer of the Licensee. The Consumer is billed as per commercial tariff. The consumer registered grievance with the Forum on 14/10/2009 regarding Change of name. The details are as follows: -
Name of the consumer : Mrs. Sulochana Pandurang Shinde
Address: - As above
Consumer No : 020420018607
Reason for Dispute : - Regarding Change of Name
- 3). The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/857, dt. 14/10/2009 to the Nodal Officer of the Licensee, and the Licensee through Dy. Executive Engineer MSEDCL Sub-Division III, Kalyan East filed reply vide letter No. DYEE/Sub.Dn.III/KLN.E/T/2614, dt. 10/11/09.
- 4) The Chairperson & Member Secretary of the forum heard both the parties on 27/11/2009 @ 16.00 Hrs. in the meeting hall of the Forum's office. The consumer was absent at the time of hearing. Shri R. J. Thool, Dy. Ex.Engr., Shri Davis, Jr. Engr. representatives of the licensee, attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record. Submissions made by the parties in respect of grievance since already recorded will be referred to avoid repetition.
- 5). Mrs. Sulochana P. Shinde vide application dt. 08/07/09 requested the licensee to change the meter No. 9001221576 in her name, installed in the Shop No. 19, Lodha Heritage, Nandivali Road, Dombivali purchased from one Vijay Tanaji Chavan vide Registered Sale Deed dt. 10/07/07. Alongwith the application she enclosed No Objection Certificate given by

the Vendor and the copy of Registration Sale Deed. This application was received by the licensee on 01/04/08.

- 6) From the record it is seen alongwith the application Mrs. Sulochana did not pay processing charges, meter testing charges and additional security deposit, the requirements laid down vide Clause 10 of the MERC Regulations 2005. It is further seen that the concerned applicant Mrs. Sulochana had not given her complete address, therefore the office of licensee could not contact her nor Mrs. Sulochana enquired with the office of the licensee about her application. According to the licensee on compliance the requirements laid down in MERC Regulations 2005, change of name can be effected.
- 7) On perusal of the record and hearing both the parties following points arise for the consideration of Forum and findings thereon for the reasons recorded below :

| Points | Findings |
|---|--------------------|
| a)Whether it is proper to direct the applicant to comply the requirements laid down under MERC Regulations 2005 ? | Yes |
| b)What Order ? | As per order below |

Reasons

- 8) On the day of hearing applicant who lodged grievance with this Forum remained absent. Record shows on filing the application with the office of licensee, she also remained absent there shows her recalcitrant attitude towards the office of licensee. On perusal the provisions under MERC it is apparent that vide Clause 10.2 application of Change of Name shall be accompanied by such charges as approved by the licensee and that as per

Clause 10.3.iv receipt of process fee is to be enclosed. However, in the case in hand nothing of the sort is done by the applicant. It is further seen from the record, office of the licensee tried to contact the applicant but for want of correct and clear address could not be contacted. In fact the applicant who seeks equity from the licensee must do equity, however fails and in such circumstance equity also does not help her. Going through the record as a whole, considering the laudable object in enacting the statute we find proper to direct the licensee to again make correspondence on the address furnished by the applicant to convey her the requirements laid down under the MERC Regulations 2005 so as to enable her to get her name entered to the record of the licensee, and the applicant too to do the needful to meet the ends of justice. With these directions application will have to be disposed off. Point is answered accordingly and hence the order :

ORDER

- 1) Grievance application is disposed off.
- 2) The Consumer can file representation against this decision with the Ombudsman at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”

Representation can be filed within 60 days from the date of this order.

Date : 04/12/2009

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan