

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Zone, Nagpur**

Case No. CGRF(NZ)/9/2017

Applicant : M/s.Indus Towers Ltd.
2010, E-Core, 2nd Floor
Marvel Edge, Viman Nagar
Pune-411014

Non-applicant : Nodal Officer,
The Superintending Engineer,
O&M Circle,MSEDCL, Wardha.

Applicant's representative :- Shri Talware,

Respondent by:- 1) Shri Sadawarti, Dy.E.E.Wardha circle.
2) Shri S.V.Barahate, Jr.Law Officer,Wardha Circle.

Quorum Present : 1) Shri Shivajirao S.Patil
CHAIRMAN

2) Mrs.V.N.Parihar
Member/Secretary

3) Shri N.V.Bansod,
Member

ORDER PASSED ON 10.03.2017.

1. The applicant filed present grievance application before this Forum on 16.01.2017 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).
2. Applicant's case in brief is that it is the application for refund of security deposit and for compensation according to MERC's SOP.

Particular of the connections are reproduced as per following table,

Sr. No.	Consumer No.	Bu Name	SD pending	Date of Ack.	Refund	Division
1	402460028524	4379 Karanja	12000	5-April-2015	Not received	Arvi
2	397160012690	1864 Samudrapur	12000	5-Dec-2015	Not received	Hinganghat
3	397720001397	1864 Samudrapur	15000	5-Dec.2015	Not received	Hinganghat
4	396800000182	4373 Hinganghat	2500	5-Dec.2015	Not received	Hinganghat
5	391640000642	4372 Wardha R-II	1400	5-Nov-2015	Not received	Wardha

Amount of security deposit is not paid therefore applicant claim refund of security deposit and compensation as per SOP.

3. Non applicant, denied applicant's case by filing reply dated 06.02.2017 and additional reply dated 10-02-2017. It is submitted that cheque of security deposit in respect of consumer No.4024600028524 was released on 13-10-2016 but the cheque is not collected by M/s. Indus Towers Ltd. Therefore it was barred by limitation. The amount of last bill Rs.4356.24 p.s. is deducted from security deposit amount. New cheque No.765504 for Rs.7444/- is delivered to applicant on 04-10-2016.

Security deposit amount is paid to the applicant. Application deserves to be dismiss.

4. Forum heard arguments of both the sides and perused record.

5. 1) So far as consumer at Sr.No.1 Br.No.4024600028524 is concerned, date of application is 05-04-2015 but application is submitted to MSEDCL on 14-05-2015 as per the acknowledgement. Record shows that amount is refunded to the applicant on 03-02-2017 but it is not refunded within stipulated time of 45 days. Therefore applicant is entitled for compensation for late refunded of security deposit amount since 29-06-

2015 till 03-02-2017 according to MERC's SOP Regulation.

2) So far as consumer at Sr.No.2 Br.No.397160012690 and consumer at Sr.No.3 Br.No.397720001397 is concerned date of application for refund of security deposit is 05-12-2015. It was necessary to refund the amount within 45 days but it is not refunded within stipulated time. Therefore both the applicants, consumer at Sr.No.2 & 3 are entitled for compensation for late refunded of security deposit amount for the period 20-01-2015 to 31-01-2017 according to MERC's SOP Regulation.

3) So far as consumer at Sr.No.4 Br.No.396800000182 is concerned date of application is 05-12-2015 but amount is not refunded to the applicant within stipulated time of 45 days. Therefore consumer at Sr.No.4 is also entitled for compensation for late refunded of security deposit amount for the period 20-01-2015 to 06-02-2017 according to MERC's SOP Regulation.

4) So far as consumer at Sr.No.5 Br.No.391640000642 is concerned date of application is 05-11-2015 but amount is not refunded to the applicant within stipulated time of 45 days. Therefore this consumer is also entitled for compensation for late refunded of security deposit amount for the period 21-12-2015 to 03-02-2017 according to MERC's SOP Regulation.

7. Hence forum proceed to pass the following order.

ORDER

1. Non-applicant is directed to pay compensation to consumer No.1 Br.No.4024600028524 for late refunded of security deposit amount for the period 29-06-2015 till 03-02-2017 according to MERC's SOP Regulation.
2. Non-applicant is directed to pay compensation to consumer at Sr.No.2 & 3

respectively Br.No.397160012690 and consumer at Sr.No.3 Br.No. 397720001397 for late refunded of security deposit amount for the period 20-01-2015 to 31-01-2017 according to MERC's SOP Regulation.

3. Non-applicant is directed to pay compensation to consumer at Sr.No.4 Br.No.396800000182 for late refunded of security deposit amount for the period 20-01-2015 to 06-02-2017 according to MERC's SOP Regulation.
4. Non-applicant is directed to pay compensation to consumer at Sr.No.5 Br.No.391640000642 for late refunded of security deposit amount for the period 21-12-2015 to 03-02-2017 according to MERC's SOP Regulation.
5. Non-applicant is directed to comply within 30 days from the date of this order.

Sd/-
(N.V.Bansod)
MEMBER

sd/-
(Mrs.V.N.Parihar)
MEMBER/SECRETARY

sd/-
(Shivajirao S. Patil),
CHAIRMAN