

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

Case No. CGRF(NZ)/11/2017

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

Non-applicant : Nodal Officer,
The Superintending Engineer,
Urban Circle,MSEDCL, Nagpur.

Applicant's representative :- Shri Talware,

Respondent by:- 1) Shri Vairagade, EE,Nodal Circle Nagpur
2) Shri Takam, AA, Nodal Circle Nagpur.
3) Dahashshtra, SNDL, Nagpur

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 he applied for refund of security deposit but it is not refunded.

Particular of the connections are given in the table as under,

Sr. No.	Consumer No.	Bu Name	SD pending	Date of Ack.	Refund	Division
1	410015693171	4685 Tulshibag	23550	18-May-2015	Not received	Spanco
2	410016732218	4685 Tulshibag	10000	18-May-2015	Not received	Spanco
3	410011256060	4687 Itwari	17920	18-May-2015	Not received	Spanco
4	410015652610	4678 CivilLine	10400	15-Aug-2015	Not received	Spanco

Therefore amount of security deposit and compensation as per SOP may be granted.

3. Non applicant, denied applicant's case by filing reply dated 31.01.2017. Consumer at Sr.No.1 Br.No.410015693171 is not the consumer within the meaning of definition of consumer laid down u/s.2(15) of Electricity Act 2003. Therefore application deserves to be dismiss. There are arrears of Rs.31570 against the applicant whereas amount of security deposit is 23550/-. Therefore no amount can be refunded.

4. Consumer at Sr.No.3 Br.No.410011256060 is not the consumer because name of the consumer is M/s.Ramkrishna R.P. Pvt.Ltd. but the applicant is M/s Indus Towers therefore his application is not tenable at law. There are arrears of Rs.15930/- against this consumer and bill was adjusted in June-2016 against security deposit is Rs.17920/- and balance security deposit outstanding amount of Rs.1990/- is balance M/s. Ramkrishna R.P. Pvt.Ltd.

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

6. 1) So far as consumer at Sr.No.1 Br.No.410015693171 is concerned he is not the consumer according to the definition of consumer laid down U/s.2(15) of

Electricity Act 2003. Therefore his application is not tenable at law. Secondly there are arrears of Rs.31570/- against this consumer and amount of security deposit is Rs.23550/-. Therefore bill was adjusted in July-2016 against security deposit Rs.23550/-. Again consumer has to pay balance outstanding Rs.8080/- to the non-applicant therefore application of this consumer deserves to be dismiss.

2) So far as consumer at Sr.No.3 Br.No.410011256060 is concerned name of the consumer is M/s.Ramkrishna R.P. Pvt.Ltd. whereas in this case applicant is M/s Indus Towers applied for refund of security deposit therefore applicant M/s Indus Towers is not the consumer. The application is not tenable at law.

Furthermore there are arrears of Rs.15930/- against this consumer whereas amount of security deposit is Rs.17920/- and bill was adjusted in June-2016 balance security deposit outstanding amount of Rs.1990/- is to be paid to real M/s. Ramkrishna R.P. Pvt.Ltd. Therefore application of M/s. Indus Tower who is not consumer at not tenable at law and deserves to be dismiss.

3) So far as consumer at Sr.No.2 & 4 respectively Consumer No.410016732218 and No.410015652610 are concerned date of application is pleaded as 18-05-2015 and 15-08-2015. However it is noteworthy that 15-08-2015 means it was the "**Independent day**" of 15 August-2015 and on that day they can not be in the office of MSEDCL being Holiday. Therefore it is clear that date of acknowledgement of the application 15-08-2015 is bogus. According to MSEDCL date of acknowledgement of application is 08-09-2015. Stipulated time to refund of security deposit amount is 30 days but there was delay therefore non-applicant is liable to pay compensation consumer No. 2 & 4 for late refunded of security deposit amount for the period 09-10-2015 to 02-02-2017 according to MERC's SOP

Regulation.

7. Hence the following order.

ORDER

1. Non-applicant is directed to pay compensation to consumer at Sr.No.2 & 4 Br.No.410016732218 & Cons.No.410015652610 for late refund of security deposit amount for the period 09-10-2015 till 02-02-2017 according to MERC's SOP Regulation.
2. Application of consumer at Sr.No.1 & 3 Br.No.410015693171 & Cons. No.410011256060 are dismissed.
3. 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