

Date of Admission. 25.09.2013.
Date of decision. 20. 11 .2013.

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD.

Case No. CGRF /AZ/U/467/2013/51

To,

1. M/s Cosmo Films Ltd,
Plot No. B 22, Waluj,
Aurangabad.

COMPLAINANT.

VERSUS.

1. Executive Engineer,(Adm.)
Nodal Officer,
O&M Urban Circle,
MSEDCL, AURANGABAD.
2. M/s GTL LTD.T-9 IT Park,
MIDC, Chikalthana,
Aurangabad.

RESPONDENT.

CORAM:

Shri V.S.Kabra Member.

Shri S.K.Narwade Member/Secretary.

REDRESSAL - DECISION.

The complainant is a consumer of MSEDCL and has taken 11 KV supply for his factory situated at above mentioned address. The consumer number allotted by respondent bears No as 490019044480.The complainant corrected the consumer no. as 490019002753 by filing rejoinder to main complaint. The electricity supply was released to

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the complainant in the year 1988 and since then the complainant is regular of all electricity bills. The complainant submits that due to some unavoidable circumstances, it was decided to close down the factory permanently; accordingly the complainant submitted application for permanent disconnection to respondent No. 2 GTL in the month of Sept. 2012 on the application of complainant Respondent No. 2 GTL disconnected the supply permanently 23/09/2011. The complainant wish to bring to kind notice of Hon'ble forum that at the time of taking connection he has paid Rs. 221400/- towards security deposit and has also paid Regulatory Liability charges as per MERC guidelines. The complainant further wish to bring to notice of Hon'ble forum that as per Regulation No. 11.9 of MERC regulations 2006, which reads as under. Upon termination of supply, the Distribution Licensee shall, after recovery of all amounts due, refund the remainder amount held by the Distribution licensee to the person who deposited the security, with intimation to the consumer, if different from such person. The complainant submits that he has paid all the bills regularly and there were no arrears amount due with the complainant. Therefore Responds were required to refund the security deposit amount along with RLC amount immediately after permanent disconnection of electricity supply. The complainant has already submitted indemnity bond in the office of Respondent No. 2 GTL on 13/06/2012 as original security deposit receipt was misplaced. The complainant has filed the grievance before this forum and prayed that the respondents may be directed to refund security deposit and RLC with interest at the rate of 18%.

The respondent MSEDCL submitted in reply that, the applicant has submitted in its say that electric Conn. No. 490019044480 is made P.D. on 23/09/2012. The grievance is for refund of security deposit and RLC of P.D. consumer. IT would like to inform that the consumer no. 490019044480 is live and submitted copy of bill for Sep2013. The GTL submitted in reply that,

It is to inform that the applicant had applied for refund of security Deposit vide its letter No nil dated 02.09.2013. The application of the P.D. consumer has been already processed. The applicant has to submit the details of its bank amount in the prescribed MSEDCL format. After submission of the information by the applicant the S.D. will be transferred to their account by RTGS. The applicant applied for S.D. refund on 04.09.2013 & approached Hon. Forum on 20.09.2013.

The applicant has given the application before the Hon. Forum for refund of security deposit & RLC. Hon. Forum would be surprised to note that the applicant has applied to MSEDCL for refund of S.D. only applicant has not applied for refund of RLC. The applicant has approached the forum directly which is against rules & regulations. It is humbly requested that the applicant be instructed to apply to MSEDCL for refund of RLC & if not satisfied by MSEDCL procedure they may approach the Hon. Forum. Hon. Forum is requested to take the decision as per above facts.

The forum heard both complainant and respondent and pursued with the record placed before the forum by both. The complainant has submitted application dated 13/06/2012 for refund of security deposit & RLC to the nodal officer MSEDCL and GTL .The said application is produced before forum; of which acknowledgement is

given by MSEDCL and GTL on 21/06/2012. The said application is misplaced in the office of both the respondent. The complainant therefore submitted application for refund of S.D. and RLC on 04/09/2013. The claim of refund from original application i.e. 13/06/2012 cannot be denied since it is not traceable in the office of both the respondents. The complainant is not responsible for misplacement of his application. Therefore the forum proceeds to pass following order.

ORDER

1. The both respondents are directed to refund security deposit w.e.f. June 2012 with interest at rate of 9% per annum within one month from date of this order joint & severally.
2. The respondent no.2 GTL is directed to refund RLC amount within one month from date of this order.
3. No order as to Cost.

(S.K.Narwade.)
Member/Secretary

(V.S. Kabra.)
Member

