

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD.**

**Case No. CGRF/ AZ/ AUR/ U / 607 / 2016 / 38
Registration No. 2016120030**

Date of Admission 21.12.2016
Date of Decision 11.01.2017

The Chairman,
Shri Gujrati Dasa Porwad Samaj Trust,
Kuwarphalli,
Aurangabad
(Con. No. 490011563071 &
490018278330)

COMPLAINANT

VERSUS.

The Executive Engineer (Administration)
Nodal Officer, O/O Superintending Engineer ,
O&M Urban Circle, MSEDCL,
Aurangabad.

RESPONDENT

CORAM

Shri Dr.Bhaskar G. Palwe	Chairman
Shri Uttam M. Urkude,	Member/Secretary
Shri Vilaschandra S. Kabra	Member.

CONSUMER GRIEVANCE REDRESSAL DECISION

The Chairman Shree Gujrati Dasa Porwad Samaj Trust, Kuwarphalli, Aurangabad having Consumer No. 490018278330 of Mahavitaran, while the Nodal Officer, MSEDCL, Urban Circle, Aurangabad is a Respondent. The complainant has filed a complaint in Annexure 'A' of the Maharashtra Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Electricity Ombudsman) Regulation 2006 on dated 21.12.2016.

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The brief details of the complaint are as under.

- 1) The trust is in possession of the premises having area @ 8000 Sq. Ft. at Kuwarphalli, Aurangabad. In the said premises there is a Mahalaxmi Mata Mandir which occupies @ 400 Sq. Ft. area & the balance at 7500 Sq. Ft. is an open ground which is used for common prayer and as a religious functions of the trust.
- 2) The Trust is also in possession of the premises situated at Gokulnath Mohalla, Aurangabad, where LT III-phase connection having consumer No. 490011563071 has been released by the Respondent.
- 3) That the every year the Trust takes a temporary III-Phase connection from MSEDCL for the period of 10 days during Navratri Festival to illuminate open ground at Kuwarphalli premises.
- 4) That for celebrating Navratri festival, the complainant submitted application for release of III-Phase Electricity connection for Navratri Festival. The said connection was released by MSEDCL after collecting deposit amount of Rs. 5000/-. The Consumer No. allotted is 490018278330.
- 5) That the said Electricity connection was permanently disconnected after a period of 10 days by MSEDCL. However, no final bill was issued by the respondent. The complainant has filed his grievance before IGRC on 01.04.2015 and requested to direct concern office to prepare final bill and to refund excess amount. The IGRC accordingly passed the order on 18.06.2015 and asked to transfer the balance amount by way of giving credit in the bill of Con. No. 490011563071.

- 6) However, till today no action has been taken for refund of balance amount, therefore the complainant has submitted that the above said deficiency in service on the part of the respondent is a violation of MERC standard of performance regulation 2014. The respondent is required to refund the balance amount within 30 days from the date of receipt of application for closer of account. The respondent is required to give compensation of Rs. 100 per week or part thereof.
- 7) Similarly the Trust has again applied for temporary connection for Navratri festival in the month of October 2016 and paid Rs. 5000/- towards deposit. The said temporary connection was permanently disconnection by Respondent after 10 days. However the final bill and balance amount is still not received by the complainant.

In view of the above complaint, the complainant prayed as under.

- 1) The grievance may be allowed.
- 2) The respondent may be directed to pay Rs. 8800/- towards compensation as per MERC SOP Regulations 2014 for delay in issuing final bill.
- 3) The respondent may be directed to pay interest on balance payable amount.
- 4) Respondent may be directed to pay necessary compensation towards deficiency in service and violation of MERC SOP Regulations.

Written Statement of the Respondent (the Say of Executive Engineer (Admn), Nodal Officer, MSEDCL O&M Urban Circle, Aurangabad

The complainant having consumer No. 490018278330 has security deposit of Rs. 1243/-. The complainant has paid Rs. 3758/- towards electricity bill. The total amount paid by the complainant is Rs. 5001/-. According to the use of electricity of 234 units the billing amount is Rs. 1372.68, hence the balance remaining with the respondent is Rs. 3628.32. As per the Order of IGRC, the said amount is being transferred on Consumer No. 490011563071. While the consumer No. 490011563071 has a outstanding bill of Rs. 35328/- till November 2016 and the Security Deposit for the said consumer is Rs. 6000/-. If Rs. 3628/- is credited to this consumer No. the outstanding balance will be Rs. 31751/-. This amount should be paid by the complainant.

Observations of the Consumer Grievance Redressal Forum.

- 1) The Complainant has taken a temporary connection for celebration of navratri festival by paying Rs. 5000/- on 25.09.2014 and also in the month of October 2016 by paying Rs. 5000/- towards deposit.
- 2) The final bill for the said events were not prepared and the balance amount was not refunded to the complainant.
- 3) However, the complainant having a permanent consumer No. 490011563071. The said consumer is having default in payment of electricity bill to the extent of Rs. 35328/- .

In view of this fact the consumer is a defaulter in payment of regular electricity bills and therefore need not be compensated for refund of balance deposited amount of temporary connection. This Forum therefore passes the following order.

ORDER

- 1) The Respondent shall refund the balance amount of Security Deposit of Temporary connection by transferring to the consumer No. 490011563071.
- 2) Compliance to be reported within 30 days.

Sd/-
Dr.Bhaskar G. Palwe
Chairman

Sd/-
Uttam M. Urkude
Member / Secretary

Sd/-
Vilaschandra S.Kabra
Member