

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE AURANGABAD

Case No. CGRF/AZ/Aur/R/347/2011/27

Date of Filing 06.09.2011
Date of Decision 19.11.2011

Janarth Agro Processing,
Gut No.205, at Maliwadgaon,
Tq.Gangapur,
Dist. Aurangabad.
(Consumer No. 506679042430)

Complainant

V/s

The Superintending Engineer,
Rural Circle, M.S.E.D.C.L.,
Mill Corner, Aurangabad.

Respondent.

Claim: - Refund of additional security deposit.

CORAM

Shri V.B.Mantri	Chairperson
Shri V.S.Kabra	Member
Shri Mohd.Quamarudin	Tech.Member

JUDGEMENT

- 01) The complainant is claiming refund of additional security along with 18 % interest paid by the consumer complainant.
- 02) It is the case of complainant that, the complainant has applied for 165 KVA HT connection on 11KV voltage level, which has been sanctioned on 24.12.2009. The complainant has paid Rs. 274230/- towards security deposit. The deposit collected by respondent is very high. The complainant requested to refund or adjust additional deposit, but no action has been taken. It is therefore requested to refund the additional security deposit. The directions be issued to respondent accordingly.

- 03) The respondent MSEDCL has submitted reply and submitted that, security deposit of Rs.2,74,230/- so collected is correct as per clause 11.3 of MERC Regulations.
- 04) The respondent GTL has submitted reply and pleaded that, due adjustment will be reflected in future bills.
- 05) The members of this Forum heard submissions Mr.Kapadiya, the representative of complainant. The Law Officer of GTL submitted that, there is no arguments on behalf of GTL.
- 06) Considering submissions of Mr.Kapadiya, & considering his grievance and considering reply filed by the respondents, the following points arise for our considerations and our findings are as follows:

Sr. No.	Points.	Findings.
01.	Whether, complainant is entitled for refund of additional	The complainant is entitled for adjustment of additional security deposit.
02.	If Yes, then for which amount, complainant is entitled for refund.	
03.	Whether complainant is entitled for interest if any.	
04.	What Redressal / Order.	

REASONS

As per clause 11.2 of MERC Regulations the amount of security shall be an equivalent of average of three months of billing or the billing cycle period, whichever is lesser for the purpose of the billing under regulation 11.2 the average of the billing to the consumer for the last twelve months. The complainant has given details of **preceding** 12 months bills. The average bill thereby comes to Rs.50,690/-. The respondents did not dispute the details of bill as mentioned by consumer. Hence average bill of Rs.50,690/- can be thereby accepted. As per regulation 11.2, the respondent is bound to refund or adjust the additional security deposit. The average bill be rounded to 51,000/-. The consumer has paid deposit 2,74,230/-. Hence additional deposit i.e. 2,74,230 minus 51,000/- is required to be refunded or adjusted in future bills. There is no provision under regulation to charge interest on such refund. Hence complainant is not entitled for any interest. The complainant has claimed refund or adjustment of Rs.2,20,000/- in future bills. The claim of the complainant as such appears to be justified. Hence complaint is required to be allowed. Grievance is justified and needs to be redressed. We the members of this Forum are therefore unanimous in following order.

ORDER

01. The grievance of complainant is allowed.
02. The respondents MSEDCL/GTL is hereby directed to adjust additional security deposit of Rs.2,20,000/- in future bills in equal six installments.
03. No order as to costs & compensation.

(V.S. Kabra)
Member

(Mohd.Qamaruddin)
Member/Secretary

(V.B. Mantri)
Chairperson

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