



(A Govt. of Maharashtra Undertaking)  
CIN : U40109MH2005SGC153645

PHONE NO. : 25664314/25664316  
FAX NO. 26470953  
Email: [cgrfbhandupz@mahadiscom.in](mailto:cgrfbhandupz@mahadiscom.in)  
Website: [www.mahadiscom.in](http://www.mahadiscom.in)

Consumer Grievance Redressal Forum  
"Vidyut Bhavan", Gr. Floor,  
L.B.S.Marg,Bhandup (W),  
Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/0087

Date: 10.05.2016

Case No. 550

Hearing Dt. 09.02.2016

**In the matter of non compliance of order by CGRF, Bhandup**

**M/s. Balaji Traders**

**- Applicant**

Vs.

**M.S.E.D.C.L., TPL ,Bhiwandi**

**- Respondent**

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri. Anil Bavthankar, Chairman , CGRF, Bhandup
- 2) Shri.Ravindra S. Avhad, Member Secretary, CGRF, Bhandup.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Applicant

- 1) Shri Shakeel S. Ansari, - Consumer Representative.

C - On behalf of Respondent No. 1

- 1) Shri. R.R.Beloskar, Executive Engineer, Nodal Office Bhiwandi.
- 2) Shri. S.K.Dhope, Assistant Engineer, Nodal Office Bhiwandi.
- 3) Mrs. Hemangi Mayerkar. Assit. General Manarger,TPL,Bhiwandi.

**ORDER(Passed on 12.4.2016)**

**Consumer No 13019002590.**

1. Above named consumer M/s. Balaji Traders (consumer No. 1319002590) is using the said connection for Power looms. He had filed complaint (no.

550/2015) earlier before this Forum for change of category from HT II to LT, which was dismissed by this Forum. Accordingly, the Forum delivered the judgment and communicated the same to this consumer. Being dissatisfied with the said order, the consumer filed Representation No. 48/2015 before Hon'ble Ombudsman on 30/07/2015. Hon'ble Ombudsman passed an order in the said complaint and directed to refund the security deposit.

2. It is pertaining to note that this consumer was permanently disconnected for the outstanding bill of Rs. 18,000/-. Thereafter the consumer made application for change of category from HT II to LT. Forum considered the dispute and directed the consumer to apply for new connection.
3. ]As per direction consumer applied for new connection on 2/7/15 after settling the arrears. The quotation (No. 15070212846) was issued to him and he was directed to deposit service connection charges of Rs. 61,000/- and Security deposit Rs. 2, 25,000/- (total amount Rs. 2, 86,100/-). It appears from the record that the earlier bill was settled and adjustment benefit was given to the consumer. Bill of Rs. **96,154/-** was raised against the consumer as adjustment.
4. Thereafter complainant approached the Forum alleging that respondent utility has not followed SOP. It has neither released new connection within proper time nor refunded amount with interest.
5. This complaint ought to have been registered as a new dispute. Instead of that, office considered the old dispute and gave the old No. 550 of 2015.
6. After filing the dispute on 16.10.2015 notice was issued to respondent utility for noncompliance of order. The matter was pending and adjourned on the request of consumer representative Shri. Shakeel Ansari due to his illness.

7. It is pertaining to note that he did not inform this Forum about challenging the order passed by the Forum in earlier consumer complaint No.550/2015 before Hon'ble Ombudsman (Representation No. 48/2015). The order of Hon'ble Ombudsman received by this Forum by post.
8. Thereafter, reasonable and sufficient opportunity was given to the consumer and his representative and also to the respondent utility.
9. During all earlier hearings, respondent utility was directed to file compliance report of order and it is observed that the respondent utility did not bother to file the same. There is no compliance report filed within stipulated time.
10. However, on 25/3/2016 respondent utility submitted compliance report through mail. Copy of mail is filed on record. It is informed by respondent utility that the SD was refunded as per request of consumer and adjustment is already made against the SD of new connection to this consumer.
11. Even today both the parties, consumer and respondent utility remained absent. It is brought to our notice that the appeal has been preferred in this matter. The matter is unnecessarily pending before us without passing any order.
12. After verifying the record and the report of compliance received by the office on 25/3/16, matter is kept for order and placed before me. I have gone through the record. The delay occurred is due to the request of consumer, as he filed litigation before Hon'ble Ombudsman. After the decision of Hon'ble Ombudsman, the SD is refunded. Thus I came to conclusion that whatever delay occurred is not willful or intentional to violate the directions of SOP, but due to communication and administrative lapses and at the request of consumer.  
Hence no penal action necessary.  
Therefore, we come to conclusion that there is no substance in the consumer complaint and it deserved to be dismissed.

Hence I proceed to pass following order.

**ORDER**

The consumer Compliant no. 550/2015 stands dismissed.

No order as to cost.

Both the parties be informed accordingly.

Proceedings closed.

The order is issued under the seal of Consumer Grievance Redressed Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

Note:

- 1) If Consumer is not satisfied with the decision, it may proceed within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

The Electricity Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606, Keshav Building,  
Bandra - Kurla Complex, Bandra (E),  
Mumbai - 400 051

- 2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

**I Agree/Disagree**

**I Agree/Disagree**

**DR. ARCHANA SABNIS  
MEMBER  
CGRF, BHANDUP**

**ANIL P. BHAVTHANKAR  
CHAIRPERSON  
CGRF, BHANDUP**

**RAVINDRA S. AVHAD  
MEMBER SECRETARY  
CGRF, BHANDUP**

