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

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

Date

Case No.04

Hearing Dt.08.06.2016

**In the matter of Interim order not to disconnected supply and demand of
revision of bill**

Shri. SarfrazAbubkar Shaikh - Applicant

Vs.

M.S.E.D.C.Ltd., Bhiwandi, TPL - Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri. Anil P. Bhavthankar, Chairperson, CGRF, Bhandup.
- 2) Shri.Ravindra S. Avhad, Member Secretary, CGRF, Bhandup.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Shri. ShakkelAnasari - Consumer Representative.

C - On behalf of Respondent No. 1

- 1) Mrs. Hemangi Mayekar, Assistant Manager, TPL

ORDER

Consumer No. 13012540978

1. Above named consumer has obtained supply from respondent utility since 20.09.2003, having consumer No. 13012540978 on the address

mentioned above with sanctioned load -49HP, connected load - 49HP, Contract Demand Load 45.69. The said supply was obtained for the purpose of running power loom business.

2. It is contention of consumer that in the month of March 2016 he received bill for Rs. 1,58,696.93/-, claiming arrears from Oct. 2015 to March 2016. It is submitted that the said power loom unit was closed in month of November and December 2015. On 5th January 2106 the consumer made payment of Rs. 20000/- to the respondent utility TPL. He deposited amount of Rs. 54,000/- According to consumer, the power loom started on 30.01.2016. However, the meter was not functioning properly and therefore the reading was not visible. He filed an application before the respondent utility and on 09.01.2016 the meter was changed as the display of the old meter was not available. It is submitted by consumer that the earlier meter provided by respondent utility was faulty. He requested respondent utility to check the meter in his presence and give him MRI report.
3. Again the month of Feb. 2016 TPL issued him bill for Rs. 1,42,746/-. Thereafter, the consumer approached the respondent utility on 13.03.2016 asking for copy of CPL, which was not provided, thus violating the provision of MERC directive Rules and regulation Electricity Act 2003.
 1. Therefore consumer approached this Forum and prayed for Interim relief against disconnection of supply.
 2. After filing the complaint and issuing the notice, respondent utility and MSEDCL filed reply on 30.05.2016. It is contention of respondent Torrent Power Limited (for the sake of brevity referred hereto as 'TPL') that this consumer did not follow proper procedure and proper channel under Regulation no. 6.2, which reads as under-

6.2 which speaks in its last para as “Provided also that the intimation given to officials (who are not part the IGR Cell) to whom consumers approach due to lack of general awareness of the IGR Cell established by the Distribution Licensee or the procedure for approaching it, shall be deemed to be the intimation for the purposes these Regulations unless such officials forthwith direct the consumer the IGR Cell”

4. It is contention of that respondent utility that though there is prayer for interim relief, said service connection was already disconnected for dues of Rs. 4,75,402,.95/- and Rs. 1,23,069.39/- to MSEDCL and TPL respectively. Further, though the consumer has stated that power loom unit was closed in the month of November and December 2015; there was no intimation given to the utility regarding said closure.

5. The meter was replaced on request because of ‘no display’ on 09.01.2016. The final reading was not available when the premises was visited. The bill arrears due in November and December 2015 which was reversed on 27.04.2016 on the basis of average reading, as for the old meter, final reading was not available. The copy of CPL was not given for the want of proper application and authorization. Respondent utility has prayed for dismissal of the complaint.

6. After perusing the reply, consumer complaint and the relevant documents filed by both the parties, following points arose to my consideration

1. Whether consumer complaint is maintainable as is directly filed before the Forum, in violation of Regulation NO. 6.6 MERC consumer Redressed “Forum and Electricity Ombudsman Forum Rules and Regulation 2006.
2. Whether consumer is entitled for any relief

Reasoning

7. After perusal of the documents and hearing the parties, it appears that the consumer violated Rules and Regulation as provided in 6.2 and directly filed complaint before this Forum, trying to seek the interim relief without depositing any amount. The consumer is required to follow the procedure and file his complaint initially to IGRC.

8. Secondly the interim relief prayed by the consumer cannot be granted as arrears claimed in the bill are not deposited. No satisfactory reason given for directly approaching this Forum. The consumer ought to have filed before proper authority. Directly approaching this Forum to seek interim relief is absolutely illegal and improper. Hence I am not inclined to grant any relief to consumer. I direct him to raise the dispute before proper Forum, following due procedure.

Hence, order.

ORDER

The consumer complaint No. 04/2016 is stands dismissed.

No order as to cost.

Both the parties should be informed accordingly.

Proceedings closed.

The compliance should be reported within 45 days.

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

Note:

- 1) If Consumer is not satisfied with the decision, he may file representation within 60 days from the 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**

**SHRI. ANIL P. BHATHANKAR
CHAIRPERSON
CGRF, BHANDUP**

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