



(A Govt. of Maharashtra Undertaking)

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Consumer Grievance Redressal Forum

“Vidyut Bhavan”, Gr. Floor,

L.B.S.Marg,Bhandup (W),

Mumbai – 400078.

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

Date

**Case No. 668**

Hearing Dt. 30.05.2016

**In the matter of illegal disconnection**

**Mr. Shambhu Zinku Yadav**

- **Applicant**

**Vs.**

**M.S.E.D.C.L. Vashi Sub Division**

- **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. Archana Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Shri. Suraj Chakraborty – Consumer Representative

C - On behalf of Respondent

- 1) Shri. Chate, Additional Executive Engineer, Vashi Sub Divison.

**ORDER**

**Consumer No. 000484816891**

1. Above named consumer filed this complaint against the respondent utility raising objection dispute against notice of disconnection dated 25.02.2016

to contention of consumer to obtain electricity connection under category LT II Commercial 1 phase, Sanction load 6KW, demand load 3KW date of connection 27.09.2013. Above said connection is use for temporary structure running the business of sugar cane juice machine At sector II Vashi consumer submitted that he is regularly paying the bill from date of connection on dated 06.10.2015 is electricity bill amount Rs, 2480/- the said bill is deposited vide receipt dated 12.03.2016 amt. 3260/-.According to consumer at the time of correction is produce all requirement application and document including Municipal Corporation in receipt shop and establishment licenses feed safety standards Act 2006 and after verification of said document temporary connection supply was issued by respondent utility. The validity of the licensee of to 08.01.2018 on date 25.02.2016 consumer received notice from respondent utility office filed by Addl. Executive Engineer, Vashi Sub-division directing consumer to produce permission of Municipal Corporation for caring out business and NOC receiving electricity connection issued by Municipal Corporation within 15 day on failure his supply shall be liable for disconnection.

2. After receiving to this notice consumer approach to this Forum and filed objection in Schedule 'A' Form along with all document the complaint is registered on 01.04.2016 and the notice and interim order pass by this Forum was issued to the respondent utility directing not to disconnected supply until further order. According to the threat of disconnection notice by Interim order by this Forum.
3. After filing the said complaint notice was issued to the respondent utility. respondent utility appeared and filed reply on 11.05.2016 to the complaint

para wise remark. According to respondent utility the premises and nature of supply and details are admitted the supply given under LT commercial prevailing tariff category. According to respondent utility the supply initially relief on time affidavit and under taking given by the consumer. The necessary document is submitted in this Forum was within stipulated time. The document was not submitted to the office in the mean time Circular issued by respondent utility on 12.06.2013. In respect of disconnection of energy supply given to unauthorized structure and building bearing letter CE/Comm/6647 dated 12.03.2013 in view of direction and mention in the letter consumer required to filed NOC of local authority for relief of supply. Therefore, consumer not given relevant document therefore notice was issue to the consumer by respondent utility due to non submission of document the supply was disconnected on 18.03.2016 and it was restored by the order was this Forum on 01.04.2016. Respondent utility pray of no fault in the action taken by respondent utility against the consumer and the notice was legal and proper utility pray for application with cost.

4. After perusing the rival contentions of consumer and respondent utility, following points arose for our consideration:

1] Whether notice thereat of disconnection issued by respondent utility bearing no. 000484816891 25.02.2016 is legal valid and proper.

2] whether consumer is entitled for continuous supply what order.

2] Whether consumer is entailed for any relief.

### **Reasons**

5. I have given opportunity to consumer and his Representative who appears before this Forum on dated 30.05.2016. I also gave opportunity to the respondent utility in appears form the dispute raised by the consumer against the threat of disconnection Notice dated 25.02.2016 it is pertaining

to note that on application given by consumer. The supply was issued 27.09.2016 it is resume that consumer that follow all the Rules and Regulation properly and action of release of supply was taken by respondent utility. The reason by issuing notice to the consumer for demanding NOC for municipal corporation and permission for conducting business is demanded. Before this Forum consumer submitted shop and establishment licensee receipt obtain since form Municipal Corporation to registration certificate. This entire document stands in the name of consumer. Consumer also file letter issued to the officer of respondent utility dated 17.03.2016 and inform that the supply was given after verification of document. However for occur licensee Municipal Corporation authority are given no objection certificate. Consumer shown his inability to produce the NOC as demanded by utility. According to the circular issued by Chief Engineer Commercial dated 12.06.2013 is General Circular for control the supply given to unauthorized structure and duly the respondent utility taking disadvantage of this Circular and issued notice to the consumer was the supply is given to the consumer at prick of session by issuing this notice. He cannot be disconnected therefore notice dated 25.02.2016 is absolutely unwarned and illegal his required be red loss. Hence consumer is paying the regular bill and Municipal Corporation receiving the licensee bill and issuing proper licensees to the consumer the receipt dated 31.03.2015 was amounting Rs. 31820/- about occur licensees sheet in this circumstances. The supply given to the consumer cannot set to be unauthorized and illegal and therefore I found action taken by respondent utility is illegal in improper. Therefore the notice as illegal and improper liable to be quash and set aside. I found there is substance in

the contention of complaint filed by costumer therefore and I am in client to allowed the complaint and proceed to pass following order.

### **ORDER**

The notice dated 25.02.2016 issued by respondent utility is illegal stands quash and set aside. The respondent utility shall not disconnected supply given to access, given to establishment of consumer and shall continued along to use still the supply is in existence.

No order as to the cost.

Proceedings closed.

Both the parties be informed accordingly.

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**

