

(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.

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

Date

Case No.87/2016

Hearing Dt. 28.09.2016

In the matter of delay for releasing new power supply connection

Mr. Khan Gulam Ahamad Mohd Haneef - **Applicant**

Vs.

M.S.E.D.C.Ltd., Bhiwandi, Torrent power Ltd., - **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.

B - On behalf of Appellant

Shri. Shakeel Ansari - Consumer Representative.

C - On behalf of Respondent No. 1

1. Shri. S.K.Dope, Assistant Engineer, MSEDCL, Bhiwandi.
2. Mrs. Hemangi Mayekar, Assistant Manager, TPL

Consumer No. 13035882281

Above said consumer filed this complaint against respondent utility for claiming compensation of Rs. 18,000 and requested to impose penalty of Rs. 50,000 for contravention of provision 43.3 of E.A. Act 2003.

According to consumer he received bill on the respondent utility (TPL) which was challenge before IGRC and IGRC pronounce the decision as per direction of IGRC this consumer filed application for new single phase connection to his premises by filing application dated 09.05.2016.He also deposited amount of Rs. 4650/- along with application. According to consumer the respondent utility TPL was required to give new connection supply single phase to the premises of consumer within stipulated period of describe under SOP but, the respondent utility did not inform any ground not provided new connection within stipulated period in spite of survey& inspections was done but progress was made. Therefore being aggrieved by action of respondent utility this consumer filed grievance in Form no 'A' before this Forum also consumer filed receipt dated 09.06.2016 of depositing amount Rs. 4650/-. After filing this grievance notice was sent to respondent utility M/s. TPL company on dated 29.08.2016. Respondent utility appeared and filed reply to the complaint stating that this consumer filed representation against respondent utility by contravention of provision section 6.6 MERC consumer grievance redressed Forum and Ombudsman Regulation 2006 without approaching to IGRC with filed this representation before the Forum directly not accordance with provision liable to be dismiss. Respondent utility also submitted that consumer applied for new connection on 09.05.2016 demanding load 0.30kw for the purpose of water pump. On dated 14.05.2016 site inspection and survey was made at the premises. Thereafter respondent utility tried to made contact with the consumer but he was not available at the premises. On 25.08.2016 against the spot inspection was made the work was allocated. The meter service was installed on 25.08.2016 and compliance report was the order date to office. It is submitted that respondent utility grievance letter mention by consumer the service is required for lighting of security of charging where as on the application given at the time of new connection consumer submitted that the service is required that water pump. Respondent utility lastly submitted that applicant claim compensation of financial loss at the fault of consumer not pleaded. In this present case no explanation and justification made by the consumer alleging raising claim against the respondent utility. Therefore no compensation is payable the allegation

made by the consumer are false baseless without any merit liable to be dismissed with cost.

After considering rival contention of both sides following points arose for our consideration

a. Whether consumer grievance is tenable contravention of provision 6.2 of Consumer Grievance Redressed Forum and Electricity Ombudsman Rules and Regulation 2006.

b. Whether consumer is entitled for any compensation or respondent utility liable for penalty for breach of section 43.3 E.A Act 2003

c. What order?

Reasoning

On dated 30.08.2016 we gave opportunity to the consumer and his representative for hearing respondent utility appears through representative authorize by the company. Consumer chooses to remain absent at the time of hearing on 30.08.2016 and subsequently on 12.09.2016 this office send email and notice to the consumer and it's representative by E-mail and telephonic message and other source available to the office. In spite of that the date of hearing consumer remains absent.

It is reported that the service asked by the consumer already installed to the premise of consumer on 25.08.2016 and compliance report already send to office even it was well communicated to consumer.

Coming to the merit it appears from the dispute that initially dispute raised by consumer before IGRC already decided in subject of wrong reading of month October and November 2015. While deciding the said dispute IGRC observed and give direction to the consumer for apply for new service connection. Accordingly the reason or the cause of action raised dispute before IGRC is not represented by consumer in Schedule 'A' form before this Forum.

This consumer raised new dispute against the respondent utility and claiming compensation of Rs. 18000/- and also pray for imposing penalty

on respondent utility for contravention of section 43.3 of Indian E.A. 2003. Admittedly this consumer not gives any explanation and particular details applying for new connection and correspondence required for completing formalities.

It is submitted by respondent utility the spot inspection was done and direction of compliance was given to the consumer but it is not responded Again on subsequent date 14.05.2016 and 25.08.2016 repeatedly respondent utility officially visited the premises but consumer was not available in spite of intimation was already given to the consumer.

It appears that reason of claiming compensation as per provision of section 26.2 there must be direct loss sustain to the consumer by to legal act of respondent utility need sufficiently proved either by documentary evidence or by affidavit. Merely in this consumer complaint revenge full attitude was seen to raise allegation against the respondent utility. I did not found any force or valid reason to entertain the dispute of consumer against the respondent utility.

It is necessary to mention that in reply respondent utility already submitted that on 25.08.2016 the service connection already installed to the premise of the consumer. This is reason why consumer and his representative remain chooses to not appear before the Forum. Hence, consumer complaint not sustainable liable to dismiss with cost. Hence, I proceed to pass following order.

ORDER

The consumer complaints No. 87/2016 stand dismiss with 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:

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)

SHRI. ANIL P. BHATHANKAR
CHAIRPERSON
CGRF, BHANDUP

SHRI. RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP