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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. 565**

Hearing Dt. 22.04.2015

**In the matter of new connection**

**Mrs. Sujata Chavan**

- **Applicant**

Vs.

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

- **Respondent**

Present during the hearing

A - On behalf of CGRF, Bhandup

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

B - On behalf of Appellant

- 1) Mrs. Sujata S. Chavan – Consumer

2) C - On behalf of Respondent

- 1) Shri. C.V. Rokade, Addl. Executive Engineer, Nerul Sub Division

**ORDER 07/05/2015**

1. Above named consumer complaint has been filed against the respondent utility for not giving new connection within stipulated time. Consumer is in occupation of shop Gala No. 71 at Mahalaxmi Nagari Sahkari Sanstha Sector No. 2 Nerul. She is running food stall by name and style as M/s. Sanika Tea and Snacks Center Gala No. 71. She applied for new connection to respondent utility for her shop. Despite completing all the formalities required for new connection, along with all relevant documents including food and Drug Licensee, Shop and

Establishment Licensee and depositing connection charges, the respondent utility did not provide new electricity connection within stipulated time. She has filed receipt dated 21.08.2004 in support of contention. A grievance was filed before IGRC where her dispute was not decided by IGRC within stipulated time.

2. The respondent utility issued letter dated 26.09.2014 stating that there are other 16 applications pending in the said premises for supply of new connection. The amount of Rs. 45,910/- is in arrears on the said premises and as per circular no. 15754 of MSEDCL dated 06.06.2012. For the residential and commercial apartment supply, new generator and transformer is required to be installed considering load required and for that purpose, sufficient piece of land and vacant plot is required to be provided by Mahalaxmi Nagari Sahakari Sanstha Sector No. 2 Nerul.
3. They also required to execute an agreement for installation of transformer. As estimate of the proposal for providing LTPS for M/s. Mahalaxmi Nagari Sahakari Sanstha Sector No. 2 Nerul Gala No. 4,5,6,7 is already sent and it is processed for Technical feasibility for single LT power supply 17 KW. For commercial purpose it is required to submit the inspection report. The report of arrears, checking report for AA billing and technical report being submitted 14/07/2014. It is reported that technical feasibility for providing transformer of 11 KV and feeder of required. Connecting load to the said society is not possible as there are arrears Rs. 45,910/- and open space plot for installation of transformer is not provided by society. Thus the application for new connection could not be considered.
4. After filing this complaint notice was issued to respondent utility. They appeared and filed reply stating that 22sq.mtrs space near sector 12 plot No. 4,5,6,7,at Nerul is required for developing electrical infrastructure for power supply as is applied by consumer; is not yet provided. It is also submitted that the Chairman

of M/s. Mahalaxmi Nagari Sahakari Sanstha Sector No. 2 Nerul raised objection before IGRC on 05.02.2015 for release of power supply. It is not possible to release power supply without no objection certificate to shop No. 71, which is in possession of Mrs. Suman Shigande. She also appeared and filed an allotment letter of shop no 71 dated 02.02.2013 in her name. Thus an objection raised by Chairman Shri. Sambhaji Adalrao for giving supply for new connection could not be considered on 22.04.2015.

5. We have given opportunity to file objections and documents even to claimant lady Mrs. Suman Shingade. She appeared and filed an application along with documents, allotment letter dated 20.11.2014 and deposit receipt dated 19/07/2002. Consumer Mrs. Sujata Chavan filed affidavit dated 05.05.2014 stating that she is in occupation of shop no.71. She has also obtained license from Shop and Establishment and Food Supply Authority for her shop which is issued on shop no 71 on 01.02.2013 in favor of Mrs. Suman, with validity of license from 12.02.2013 to 11.02.2011.
6. We have considered the contention of consumer and also gone through document filed by her. Her application for new connection is dated 18.02.2013. The documents produced by Smt. Suman Shingade clearly disclose that shop no 71 was allotted to her vide letter dated 20.01.2004, issued by Mahalaxmi Nagari Sahkari Sanstha Sector No. 2 Nerul. This possession of Sujata Chavan on the shop premises is in serious dispute.
7. We have also considered the reply filed by utility that they are unable to provide the connection due to technical feasibility. It is not possible to give new connection to her premises and for erection of transformer, infrastructure is to be provided demand of supply as per the requirement load 207KW for commercial purpose the proposal of estimate providing HTPS dtd. 21.05.2014 Rs. 8, 74,200/- is sanction but for installement the said transformer suitable open plot

which is not provide by the society till today. Therefore on technical reason the new connection is not possible to premises.

8. This Forum consider the existing connecting load available to the premises at present as per the report of inspection filed by respondent utility the sanction load and connecting load so far as the present consumer who filed application for new connection on 18.02.2013 is consider . It is submitted that if this Forum order to give connection to the present consumer as per the purpose 207 watt for commercial purpose and material is required as mention in the letter of estimate amount Rs. 8,74,200/- which is suggestive utility issued letter to present consumer directing description found. Not possible recorded disclosed consumer not complied.
9. A 1 form not duly filed up.
10. Load applies not given detail contention either supply through phase I or Phase III required is not mention.
11. The D1 form for Contractor Stamp Signature is not attached along with application and submission of utility no technical feasibility was available to issue supply power as per demand and no open space provider by society for erection of transformer till today and lastly. There is objection raised by lady name Mrs. Suman Shingade who filed separate application along with document with disclosed allotment letter 20.11.2004 shop 71 already allotment to her in these circumstances. The Rules late down for establishment of new connection scrutiny of application Rule no which is description mention for compliance of Rules 5.1 to 5.9 all the required to complaint the formality and requirement of full the terms and condition by consumer are not complied. Therefore application for new connection filed by the present consumer cannot be entertain by this Forum. Hence Proceed to pass following order.

## **ORDER**

1. The consumer compliant No. 565 stand dismissed, consumer application of Mrs. Sujata Chavan can not be consider for no technical feasibility and objection raised by lady name Suman Shingade. Should be decided competent authority
2. The consumer application deserved to be dismiss with cost

Both the parties be informed accordingly.

Proceeding close.

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.

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

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

**S.B.BHALSHANKAR**  
MEMBER SECRETARY  
CGRF, BHANDUP