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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.634

Hearing Dt. 30.12.2015

M/s. Eternity Mall Premises Co-op.Society Ltd.,

- Applicant

Vs.

M.S.E.D.C.Ltd., Gadkarii sub division - Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

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

B - On behalf of Appellant

- 1) Shri. Pramod G. Mhatre, Consumer Representative.

C - On behalf of Respondent

- 1) Shri. R.B.Kore, *Addl. Executive Engineer, Gadkari sub division*

ORDER (Passed on 06.01.2016)

1. Above named consumer has filed this complaint against respondent utility. The consumer has submitted that he has paid Rs.1,80,150/- towards security deposit on 08.06.2006 and obtained connection for the premises having consumer no. 000019053720, sanction load 147KW; which is live till today. The consumer requested the utility to give benefit for the period 14.06.2006 to 31.03.2015 for the said connection which is obtained for the premises for commercial purpose. In spite of request

respondent utility did not act upon to give benefit of security deposit and the same was not shown in future bill.

2. Therefore he lodged a complaint with IGRC vide case no. 5426/2015. Accordingly IGRC obtained say of respondent utility and passed order on 27.10.2015. IRGC had given details to Thane II sub division vide receipt No. 8789988 dated 14.06.2006 to verify the said receipt. IGRC also ordered to show the adjustment of security deposit amount and to give benefit of interest to consumer.
3. In spite of said order respondent utility did not take any action. No benefit has been given to the consumer. Therefore the above named consumer filed this complaint before the Forum on 30.12.2015.
4. After filing this said complaint, notice was issued to respondent utility. Respondent utility appeared and filed reply dated 14.12.2015.
5. It is contention of respondent utility that original record was not available with sub division office. However original receipt filed by consumer along with complaint was sent for verification. It is submitted that on 28.12.2015 confirmation of security deposit receipt was received from Thane-II sub division and benefit would be given to the consumer from the date of security deposit along with interest and entry would be made in next bill.
6. Respondent utility filed all relevant documents. After perusal of all the records and proceedings before IGRC, it appears that respondent utility has neither complied with the order, nor has submitted compliance report within 30 days as per direction form receipt of IGRC order.
7. We have given opportunity to the consumer and his Representative who appeared before the Forum. We have verified the record and found that SOP directions and order of the Forum are not promptly followed by respondent utility. Therefore we inclined to give directions to respondent utility that hence forth all the direction given by

IGRC as well this Forum should be promptly complied with, failure of which will necessary action will attract an action against the utility. Responsible officer shall take note of this observations seriously and shall comply the orders promptly in future.

8. However we found that the delay in this case is not intentional. Therefore we are not imposing any penalty. The consumer is satisfied with an oral assurance given by officer present before the Forum. Compliance is assured in the next bill. Hence we proceed to pass following order.

ORDER

1. The consumer complaint 634/2015 is allowed.
2. The respondent utility hereby directed to show the adjustment of security deposit amount promptly and benefit of interest shall be given to consumer. It shall be disclosed in next bill.

No order as to cost.

Both the parties should be informed accordingly.

Proceeding close.

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. R.S. Avhad
MEMBER SECRETARY
CGRF, BHANDUP**