

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Member Secretary/MSEDCL/CGRF/BNDUZ/

Date :

In the matter of disconnection of supply without notice.

Case no. 483

HearingDt. 01/03/2013.

Shri Balbirchand Agarwal - Applicant

Vs.

MSEDCL Kharghar S/divn Vashi - Respondent

Present during the hearing

A] - On behalf of CGRF, Bhandup

- 1) Shri S.K. Chaudhary, Chairman, CGRF Bhandup.
- 2) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.
- 2) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B] - On behalf of Applicant

- 1) Mr. Pankaj B. Agarwal – Consumer Representative.

C] - On behalf of Respondent

- 1) Shri S.D. Rathod Dy. Ex. Engr. Kharghar S/divn., Vashi

This is a complaint filed by Shri Balbirchand Agrawal, against an order of IGRC dated 19/11/2012 in case no. 94 of Vashi Circle.

Facts in brief of the complaint.

- 1) The complainant Shri Balbirchand Agarwal had purchased a flat being flat no. 301, Plot no. F 51, Sector 51, Kharghar (for the sake of brevity herein after referred to as the "said flat") where electric connection

vide connection no. 029470237021 was given in the name of builder M/s. Blacksmith Iris.

- 2) The consumer was not receiving electric bills from the utility.
- 3) Thereafter, the utility disconnected the electric supply of the consumer without any prior notice, which is mandatory as per Law.
- 4) The consumer contacted the utility when he was made to pay ₹ 830/- towards previous unpaid bill on 25/07/2007.
- 5) In spite of paying previous dues, the utility has not restarted his supply till today

So also the security deposit of the consumer (previous owner i.e. M/s. Blacksmith Iris) is still lying with the utility.

Thus by filing this complaint, the consumer has prayed for relief in the form "reconnection of the electric supply".

The utility appeared before us through its representative.

He submitted that since the consumer is P.D. for more than 6 months, the same connection cannot be made live now.

The utility has filed its written say before us dated 28/02/2013, in which it has also stated as :-

- 1) Shri Balbirchand Agarwal is not a consumer of the said disputed connection.
- 2) Since the complainant is not residing at the said flat and since he consumer has never communicated alternate address for communication to the utility , notice for disconnection under section 56 (1) of I.E. Act 2003 was served at the said flat.

After going through the documents placed before us and oral arguments of both the parties, it is seen that –

- a) The said connection was in the name of builder i.e. M/s. Blacksmith Iris & not in the name of Shri Balbirchand Agarwal the present complainant.
- b) No one is staying at the said flat till today.
- c) Last bill paid by the consumer is on 25/07/2007.
- d) The connection was made P.D. in February 2009.
- e) Thereafter the consumer has paid the bill on 08/09/2009

Now the question before this Forum is :

- 1) What relief can be granted to the complainant?

The Forum is of the view that since the connection is already made P.D. in the month of Feb-2009, and was PD for more than six months, now the same cannot be made live as per directives of Commission.

Also, since the connection was in the name of M/s. Blacksmith Iris, this complainant has no locus standi.

Therefore, we order the complainant to make a fresh application for new connection to the utility and utility thereby ordered to give new connection to this complainant within stipulated period as per SOP on receipt of completed Application.

The utility is also directed to refund the security deposit on receipt of application, in the name of concerned and file the compliance report before this Forum

ORDER

- 1) Utility to give new connection to Shri Balbirchand Agarwal after compliance of all the necessary formalities as per S.O.P.
- 2) Utility to refund security deposit to M/s. Blacksmith Iris.

No order as to the cost

Both the parties be informed accordingly.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 8th of March 2013.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal 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 proceed before the Hon. High Court within 60 days from receipt of the order.

DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP

S. K. CHOUDHARY
CHAIRMAN
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP