

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

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

Date :

In the matter of P.D. recovery

Case No. 428

Hearing Dt. 29/02/2012

Shri Mohhamad Ibrahim Haroon Momine

- Applicant

Vs.

T.P.L., Bhiwandi

- Opponent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri S. K. Choudhary, 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) Shri Sajid Ansari–Consumer Representative
- 2) Shri Adil Punjabi–Consumer Representative

C - On behalf of Opponent

- 1) Shri Joshi, T.P.L., Bhiwandi.
- 2) Mr. Jeevan Clark, T.P.L., Bhiwandi.

Preamble :

Shri Mohd. Ibrahim Haroon Momin is a power loom consumer and had single phase lighting connection under service no. 13010157832 which was disconnected by the utility M/s. Torrent Power Ltd. due to non payment of arrears on 23/07/2009. The utility has transfer these arrears

on existing three phase power loom connection in the same name. The consumer has taken objection for this shifting of arrears from one service number to another and denied for payment as per section 56 (2) of E.A. 2003.

Consumer say :

Shri Sajid Ansari and Shri Adil Punjabi were present to represent the case from consumer Applicant side they stated that :-

The references being put forward by M/s. Torrent Power Ltd. as to (1) case no. 78 of 2008 and (2) MERC supply code regulation's clause 10.5 are absolutely irrelevant to solving his problem.

The Hon'ble Electricity Ombudsman's specific ruling is with reference to a different specific case totally unrelated to his grievance case.

Similarly, MERC's supply code clause 10.5 is detailed clarifications about the relatives connected and deriving from "The change of name" and other associated situations.

He further stated that it is highly regretted that M/s. Torrent Power Ltd., to avoid this legal blunder on utility's part is trying to play-up between two different legalities and trying create and confuse between "Electricity Act 2003" and the MERC supply code; which please intelligently note.

He further narrated that it is highly distressing to him to specifically point out the negligent, uncaring and disrespectful attitude of M/s. Torrent Power Ltd., towards an honest and sincere consumer like him. The utility has not addressed even one of his grievances.

As such he strongly condemn this non-chalet, non co-operative, high handed and forcible enforcing of illegal recovery of arrears.

Prayer of the consumer :

It is sincerely requested to your honour that as his grievances module's solutions have clearly and transparently been elaborated by Electricity Act 2003, Section 56(2),

Utility say :

Observation :

ORDER

Compliance should be reported within month period.

No order as cost.

Both the parties should 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

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 go in appeal before the Hon. High Court within 60 days from receipt of the order.

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

**S. D. Madake
CHAIRMAN
CGRF, BHANDUP**

**R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP**