

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

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

Date :

Case No. 436

Hearing Dt. 21/03/2012  
& 29/03/2012

M/s. Omkar Ind. Ltd. - Appellant

Vs.

MSEDCL Bhandup Division - Respondent

Present during the hearing

A] - On behalf of CGRF, Bhandup

- 1) Shri S.K. Chaudhari, Chairman, CGRF Bhandup.
- 2) Shri R.M Chavan, Member Secretary, CGRF, Bhandup

B] - On behalf of Appellant

- 1) Shri Ravi Anand, Consumer representative.
- 2) Shri S.B. Lambhate, Consumer representative.
- 3) Shri Raji Mathew, Consumer representative.
- 4) Shri Sushil Soman, Consumer representative.

C] - On behalf of Respondent

- 1) Shri Chavan Patil, Dy. Executive Engineer, MSEDCL, Bhandup
- 2) Shri N. R. Songiri, Dy. Ex. Engr., S/Dn. I, Bhandup.

After hearing both the parties & after considering the provisions given in the regulation No. 5.5 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulation 2005, the Forum has come to the conclusion that there is no substance to proceed with the case, in view of provision to Regulation no. 5.5. There was no lease agreement between complainant & Licensee. The provision is very clear that in case there is no any agreement, then it

will be deemed to have expired at the end of two years from the date of notification of the regulation i.e. to say 20<sup>th</sup> of Jan 2005. While giving dictation regarding the Law point, it is brought to the notice to the Forum that the subsequent fresh agreement is likely to be entered between the parties as per terms and conditions as the MSEDCL agreed between the parties in consistence with Regulation 5.5. The Forum has been told for fresh agreement, the application is already submitted by complainant to the Licensee. The Forum has been also told by the Licensee, that it is under consideration. So, in the Forum's opinion as the matter is being under consideration, the approach of the complainant to the Forum is pre-matured. Today it is agreed by the Licensee to give the zerox copies of the letters dtd. 26/09/11 & Nov-2011 to the complainant & to obtain the acknowledgement from the complainant after the receipt of those zerox copies. It is also agreed to intimate to the complainant about the further progress about the application for relief submitted by complainant, hence the Forum passed the following order.

### **ORDER**

The complaint is disposed off.

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

Note : 1) If Consumer is not satisfied with the decision, he may have representation 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 writ before the Hon. High Court within 60 days from receipt of the order.

**S. K. CHOUDHARY  
CHAIRMAN  
CGRF, BHANDUP**

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