

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

**Case no. 448 & 449**

Complainant is present. Respondent is engaged in circle office meeting, therefore on the request of Respondent, both the matters are adjourned till 09/07/2012. Respondent are hereby directed to submit their say & documents if any well in advance by giving copy of it to the complainant. So the matter is adjourned for filing the say as well as for documents if any and for arguments on 09/07/2012.

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

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

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

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

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

Date :

Case No. 449

Hearing Dt. 09/07/2012

In the matter of Refund of RLC, Clouser of account of P.D. Consumer

Dr. N. R. Davada  
Dhanwantary Hospital

- Applicant

Vs.

MSEDCL, Panchrasta, S/Dn., Mulund. - Opponent

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
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B] - On behalf of Applicant

- 1) Shri Harshad Sheth, Consumer representative.
- 2) Shri Mukesh Shah, Consumer representative

C] - On behalf of Opponent

- 1) Shri Satish Mane, Dy. Ex. Engr., Panchrasta S/Dn.

**ORDER**

One Mr. N.R. Davada is running Dhanwantari Hospital at Mulund (W), it appears from record in his individual name he has taken one electric connection LT-II with consumer no. 700000850855. It also appears that in the same premises he has taken another electric

connection in the name of Dhanwantari Hospital with consumer no. 700000039459.

During the submission of the case it is stated, in views of the policy that in the same premises there should not be two meters, subsequently the meter which was in the name of Dhawantari Hospital with consumer no. 700000039459 was disconnected according to Complainant some where prior to July-2008.

Now it also appears as there were two meters initially as per the policy a Respondent has collected RLC amount from Dr. N.R. Devda as well as from Dhanwatari Hospital. These RLC was collected since Jan-2004 to Aug-2005 and Sept-2005 to Sept-2006. It is admitted fact that RLC which was collected from Dr. N.R. Devda for about ` 57,875/- (` 58,143/-), however it is confirmed by the Complainant that RLC of ` 57,875/- be confirmed. Now as per the submission and also admitted by the party in one sake of refund of RLC for the period Sept-2005 to Sept-2006 in monthly bill at the rate of ` 458.73 ps till Sept-2011 ` 13,132/- are refunded to Complainant.

Now so far the RLC for the period Jan-04 to Sept-05 recently in the month of June-2012 ` 19,031/- are refunded to the Complainant. So it means in total by this time ` 32,165/- are refunded to Dr. N.R. Devada. Now admitted position is that the remaining amount ` 32,712/- is yet to be refunded to the Complainant Dr. N.R. Devada. It is brought to our notice that the system is in process for all the consumers regarding the delay in amount of RLC either of the period Jan-2004 to Aug-2005 or of the period Sept-2005 to Sept-2006. Forum feel in view of the admissions given by the Respondent, Complainant is entitled for the refund of remaining amount of ` 25,512/- however as per the final order.

The next grievance of Dr. N.R. Devda is that as per 09/07/2012's submission that the security deposit is shown zero on the bill while getting supply. Today complainant Dr. Devda has submitted one zerox copy of bill dtd. 18/04/2001 claiming the security deposit is shown as `

22,250/-. We feel that the security deposit amount ` 22,250/- should be verified by the Respondent with its record and after verification the security deposit of ` 22,250/- or the amount confirmed by the Respondent should be added in the present security deposit with interest if it is not be given after verification by the Respondent.

Now coming to the claim regarding Dhanwantari Hospital in respect of RLC amount it is brought to our notice that by way of RLC ` 76,616/- are recovered from Complainant Dhanwantari Hospital. It is also brought to our notice that the meter which was in the name of Dhanwantari Hospital is permanently disconnected from year prior to July-08 but the RLC was already collected. According to Complainant, in view of Regulation 9.4 of MERC Regulation 2005, in case there is a permanent disconnection subject to satisfaction of all amounts the amount is due to the consumer should be paid within 30 days from the date of receipt of that application. However the submission of Respondent is that in view of the circular issued by the department whether it is a case live consumers or permanent disconnected consumers only 52.5% amount of the due should be pay by the way of cheque to the consumer.

However, in the view Regulation 9.4 the settlement of amount if any due from consumer or due to the consumer as per case may be should be applicable and settle after receipt of the application. This time it is a case of P.D. and not a case of clubbing of meter. It is also true that RLC was collected but it appears the account is not close as on today in respect of the consumer which is in the name of Dhanwantari Hospital we say this because even the S.D. which is still with a Respondent is not settled in this case of P.D. So we feel that is required by the consumer to make an application for closure of account. Consumer on today brought to our notice for receipt of April 2001 it appears the S.D. which was held by Respondent for ` 37,245/- the additional S.D. was claim ` 8,595/- so in total the S.D. with Respondent appears to be ` 45,840/-. In our opinion even this amount is also to be settled by the party after submission of application by the Complainant as per the final order for clouser of account. Therefore we are inclined to pass the following order.

## ORDER

- 1) Complainant is allowed.
- 2) Respondent is hereby directed to refund ` 25,712/- to Dr. N.R. Devda with consumer no. 700000805855 either B-80 or through the system "as and when it start issuing the credit as per Commission order" with interest 6% per annum on reducing balance from July-08.
- 3) Complainant is hereby directed to submit the application for clouser of account in view of Regulation no. 9.4 within 8 days from receipt of this order to the Respondent and obtained acknowledgement of that receipt from the Respondent.
- 4) After receipt of this application for clouser from Complainant a notice should be issued by the Respondent calling upon the Complainant to appear before it alongwith all relevant papers, if any for the settle of amount within 8 days of receipt of that application.
- 5) Both the parties should settled across the table the amount either due from consumer or due to the consumer and after settle of amount if any about due to the consumer if your R.L.C. if your security deposit the said should pay by cheque accordingly in the name of Dhanwantari Hospital.
- 6) The settlement as regards to the clouser of account and security deposit should be completed by party at any cost within 45 days from dtd of this order no any further extension will be given for the settlement of account. However as regards to the refund of RLC the directives given in above para no. 2 should be followed.
- 7) There will be no any order.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 19<sup>th</sup> of July 2012.

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.

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

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