

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

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

Date :

Case No. 452

Hearing Dt. 24/07/2012

In the matter of wrong recovery

M/s. Juhur Enterprises - Applicant

Vs.

MSEDCL, Pannalal S/Dn. - 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 Applicant

- 1) Shri Rammilan Yadav, Consumer
- 2) Shri Hasan Sayyad, Consumer

C] - On behalf of Respondent

- 1) Shri P.H. Shirke, Dy. Ex. Engr., Pannalal S/Dn.

**ORDER**

M/s. Juhur Enterprises is a Industrial consumer with the earlier sanctioned load of 5 HP under service no. 100000411986 at Khindipada, Bhandup. In the month of Jan-2012 the utility office debited amount of ` 4,61,219/- in the account of M/s. Juhur Enterprises under the reason that M/s. JAS Enterprises has taken unauthorized supply from M/s. Juhur Enterprises and hence arrears

for which the supply of M/s. JAS Enterprises was made P.D. has been transferred to M/s. Juhur Enterprises.

M/s. Juhur Enterprises filed the complaint for this unwarranted debit amount of ₹ 4,61,219/- to the IGRC, Thane, but got no relief and aggrieved of this he approached to this Forum under the threat of disconnection. Accordingly, the matter was kept for interim order on 25/06/2012 both the parties were present. On short hearing it was decided that consumer should pay ₹ 75,000/- and Respondent should allow the consumer to pay the current bill till final order. This was temporary relief given to the consumer. Shri Ram Milan Yadav and Shri Hasan Sayyad were present to represent the consumer side. They stated that M/s. JAS Enterprises is far away from M/s. Juhur Enterprises premises and no supply was extended from M/s. Juhur Enterprises after the disconnection of electric supply of M/s. JAS Enterprises. However, the Respondent have prejudicially loaded the arrears of M/s. JAS Enterprises which is baseless and against any Law. There is no relation between these two service connections and premises ownership.

On query that how the meters of M/s. Juhur Enterprises are burnt before the reading cycle, the consumer representative explain that the meters provided by the Respondent is of lower capacity and hence, meters are burnt. However, they admitted that, the use of connected load is around 39 HP as against the sanctioned load of 3 HP only.

It was asked why they did not get the load official regularized from the Respondent, they explain to Forum that Respondent demanded NOC from the various Govt. authority for sanctioning the extra load which they don't have and hence they are using excess unauthorized load. They requested Forum to direct the utility to withdraw the recovery of M/s. JAS Enterprises transferred on M/s. Juhur Enterprises.

They further stated that it was astonished to see that the Respondent has also loaded the same arrears on the third connection in the name of Shri Hassan Raza Sayyad under sr.no.

100000009487. They further added that how utility can raise the arrears of one connection on two different consumers at a time. He requested Forum to direct the utility to squash their arrears from connection of Hasan Raza Sayyed who is no were concerned with the liabilities of arrears of M/s. JAS Enterprises. However, the arrears loaded on Shri Hasan Raza Sayyed bearing consumer no. 100000009487 is baseless and should be immediately withdrawn with interest if any charged on these arrears.

On behalf of Respondent Shri Shirke, Dy. Ex. Engr. was present to represent the case, he stated that during the inspection of the premises M/s. JAS Enterprises dtd. 05/01/2012, it was noticed that against the sanctioned load of 5 HP the consumer was using 41 HP the said report was signed by Mr. Javed on behalf of consumer. The Respondent also submitted the single line diagram of the location of premises M/s. JAS Enterprises, M/s. Juhur Enterprises, Hasan Raza and other allied premises which consumer had submitted it to utility at the time of taking new connection.

The Respondent conceded that Shri Ram Milan Yadav who is running M/s. Juhur Enterprises has admitted that he is using electric supply from M/s. JAS Enterprises extended unauthorisedly to M/s. Juhur Enterprises for production of plastic products. In support of this he submitted the written statement signed by Shri Ram Milan Yadav.

He further stated that being M/s. JAS Enterprises was made permanently disconnected for non payment of arrears and both the premises is being owned by single person the arrears of M/s. JAS Enterprises is transferred on M/s. Juhur Enterprises so as to recover the arrears.

The matter was again heard on 24/07/2012, both the parties were present, documents on record and arguments during the hearing it reveals that the consumer M/s. JAS Enterprises & M/s. Juhur Enterprises are using unauthorized excess load and hence meters are burnt. It is also observed from the photographer produced by the Respondent of burnt meter, that there should be

some mystery behind the burning of such meter just before the reading cycle. However, consumer should comply all relevant formalities and get the load sanctioned from the Respondent and not to use any unauthorized excess load. Moreover, during the proceeding the sample of signature of Shri Ram Milan Yadav was taken which are matching with the signature on the statement of Shri Ram Milan Yadav admitting that supply from M/s. Juhur Enterprises was taken to run M/s. JAS Enterprises for plastic production. Moreover it was also seen admitted in this statement that both the premises are used for production by Shri Ram Milan Yadav.

Hence the liabilities of arrears of M/s. JAS Enterprises are also lies on Shri. Ram Milan Yadav. However the arrears loaded on Shri. Hasan Raza Sayyad bearing Consumer No.100000009487 is baseless and should be immediately withdrawn with interest if any charged on these arrears.

On perusal of documents and arguments during the proceeding reveals that the utility is entitle to recover the arrears of M/s. JAS Enterprises from Shri Ram Milan Yadav as it is admitted fact that this electric connection in the premises was used by Mr. Ram Milan Yadav, hence order.

### **ORDER**

- 1) Application is allowed.
- 2) Respondent utility should recover the arrears pending on M/s. JAS Enterprises from Mr. Ram Milan Yadav, the entrepreneur of M/s. Juhur Enterprises for non payment of arrears the utility is free to act as per provisions in the Commission's Regulations and E.A. 2003 (amended in 2007).

The compliance should be reported within 30 days from the receipt of this order.

No order as to the cost.

Both the parties are 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 21<sup>st</sup> of August 2012.

Note : 1) If Consumer is not satisfied with the decision, he may proceed within 60 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**

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

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

Date :

Case No. 452

Hearing Dt. 25/06/2012

M/s. Juhur Enterprises

- Applicant

Vs.

MSEDCL, Pannalal S/Dn.

- Respondent

Present during the hearing

A] - On behalf of CGRF, Bhandup

- 1) Shri S.K. Chaudhari, Chairman, CGRF Bhandup.
- 2) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B] - On behalf of Applicant

- 1) Shri Rammilan Yadav, Consumer representative
- 2) Shr Hasan Sayyad, Consumer representative

C] - On behalf of Respondent

- 1) absent

**Interim order**

Consumer present.

Respondent sought adjournment.

Meter for Juhur Enterprises which is permanently disconnected by the Respondent is hereby ordered to made live on accepting payment of ` 75,000/- from the consumer M/s. Juhur Enterprises within 3 days form the date of this order till the time of final order of this Forum.

Respondents are directed to issue monthly bills as per consumption to the consumer till the Final order.

No order as to the cost

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 25/06/2012

Note : 1) If Consumer is not satisfied with the decision, he may proceed within 60 from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

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

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