

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

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

Date :

Case No. 456

Hearing Dt. 09/07/2012

M/s. Air Auto Engg. Co. - Applicant

Vs.

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

B] - On behalf of Appellant

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

C] - On behalf of Respondent

- 1) Shri S.V. Bedagkar, Dy. Ex. Engr., Mulund Divn.

M/s. Air Auto Engr. Ltd. is a consumer of the OP bearing consumer no. 700000850804, LT-II, consumer under the billing unit of 4703, Sarvodya Sub-Divn., meter no. 530009312.

The consumer had approached IGRC on 16/04/2012, where the grievance could not be solved to the consumer satisfaction; hence, he has preferred this appeal before us.

It is allegation of the consumer that:

- 1) The utility has failed to give RLC refund of as ` 67,147/- to the consumer, along with interest @ 6% p.a., which occurs ` 7,386/- till Feb-2012.
- 2) The utility has stopped installment payment of ` 641.97 from Oct-2011 till date to this consumer though the same has been given to HT consumers, which amounts to discrimination.

By filing this appeal, the consumer has prayed for refund of RLC with interest and re-continuation of monthly installments of ` 641.97.

Utility appeared before Forum and filed its say. As per their say, it has been submitted as :

- i) For July-08 to Aug-09, RLC refund has been given to consumer in 13 installments 15.5% of the total RLC recovered
- ii) 11 installments with 21% of total RLC recovered was given to the consumer for the period Sept-09 to July-10 towards RLC refund.
- iii) RLC refund 16% of the total recovery has been given for the period Oct-10 to Sept-2011

It is submitted by the utility that RLC refund has already been given to this consumer as per H.O. directives.

Now, the question before us are

- 1) Whether consumer is entitled for RLC refund?
- 2) When

We answer question no. 1 affirmatively. It is an admitted fact that since Jan-04 to Sept-06, total amount of ` 1,12,782/- was collected from the consumers towards RLC, out of which ` 32,301.38 has been refunded in June-2012. This is RLC collected for the period of Sept-05 to Sept-06.

Thereafter, refund was stopped as the installments were over as directed by MERC.

It is also indent that there is some dispute regarding final figure to be refunded.

It appears that the amount of RLC is ` 97,902/-, but both the parties have agreed to settle upon a final figure as and when the technical process starts and the further directives of refund is received from the MERC.

The utility has not denied its burden to refund RLC. Its only contention is that, the same can be refunded only after order from MERC.

Therefore, we feel it prudent to order refund of RLC amount alongwith interest as per MERC order, as per MERC order to that effect.

Another, point raised by the consumer is refund of

- a) Security deposit (of ` 59,871/-) and

b) ` 10,976 + ` 830/- which is shown as credit balance in the bill of July-2011.

Since both the amounts are not challenged or disputed by the utility, we order to refund the same alongwith approved rate of interest.

` 10,976/- and ` 830/- to be refunded alongwith interest at the rate approved by RBI.

Hence we pass following order

### **ORDER**

- 1) Complaint no. 456 is partly allowed.
- 2) Utility ordered to refund ` 59,871/- of S.D. alongwith interest at @ of RBI from the date of PD.
- 3) Utility is ordered to refund ` 11,806/- ( ` 10,976/- + ` 830/-) with interest @ of RBI from July-2011 after final bill adjustment.
- 4) Utility is order to calculate and refund amount collected towards RLC alongwith interest @ 6% p.a. as and when MERC issues an order to that effect.
- 5) No order as to cost/compensation.

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> 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.

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

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

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