

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

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

Date :

Case No. 290

Hearing Dt. 28/09/2009

**In the matter of wrong release of connection**

**Shri Kantilal P. Thakkar** - Appellant

Vs.

**MSEDCL, (TPL) Bhiwandi** - Respondent

**Present during the hearing**

**A - On behalf of CGRF, Bhandup**

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

**B - On behalf of Consumer**

- 1) Shri Pravin Thakkar, Consumer Representative.

**C - On behalf of Utility**

- 1) Smt. Sandhya Iyre, Asstt. Manager, TPL, Bhiwandi.
- 2) Shri Pratik Rana, TPL, Bhiwandi.

## **Preamble**

Shri Kantilal P. Thakkar is having house no. 142/0 at Narpoli, Bhiwandi, in the name of Smt. Savitaben Dalpatrai Thakkar, where electric connection for lighting load in power loom shed was given by Utility. The cause of dispute arose when one person Shri Ramdhani Ramsadan Prajapati got the lighting connection in this shed showing house no. 142/2 from utility under consumer no. 13013480456. Moreover in shed no 142/0 shri Kantilal P. Thakkar was having old electric connection no. 13012251429 and getting bills on average basis. Hence consumer approaches to the ICGRU but got no relief. Aggrieved of this he approaches to this Forum on 07/09/2009 accordingly grievance was registered vide case no. 290 and hearing was fixed on 23/09/2009.

## **Consumer say :**

Shri Pravin Thakkar, represented the case (hereinafter referred as to Appellant) as under :-

He was having electric connection under consumer no. 13012251429 for lighting purpose in power loom shed bearing house no. 142 at Narpoli which subsequently made permanently disconnected due to huge arrears by MSEDCL utility but still today he is getting bills on the said connection on average basis which he urged to squash.

The Appellant further stated that Shri Ramdhani Ramsatan Prajapati has taken electric connection under consumer no. 13013480456 in his house no. 142 with the forged documents pertain to 142/2 and Respondent utility has not observed the rules for release of supply. (i.e. by ignoring these forged documents submitted by Shri Ramdhani Ramsatan Prajapati.) Hence utility has wrongly released electric connection in his premises. Which should be disconnected immediately. Appellant also requested to be furnished all copies of documents, which Shri Ramdhani

Ramsatan Prajapati has submitted to utility to get this new connection. The Appellant further demanded the compensation towards mental & physical harassment at the hand of Utility for Rs.25, 000/-

**Hence prayer of the Appellant are :**

- 1) Average billing from Feb 2007 should be withdrawn.
- 2) Supply of Shri Ramdhani Ramsatan Prajapati should be disconnected.
- 3) Provide him true copy of documents, which was submitted by Shri Ramdhani Ramsatan Prajapati while taking new connection.
- 4) Compensation for harassment by Utility with their unfair practices should be granted.

**Utility Say :-**

On the behalf of Utility Smt. Sandhya Iyer Astt. Manger was present during the hearing she stated that this consumer Shri Ramdhani Ramsatan Prajapati is residing and doing business in the said premises from last 15 years which was revealed during the survey. If the Appellant proves that Shri Ramdhani Ramsatan Prajapati submitted forged documents for getting electric supply, the respondents Utility is ready to take necessary action as per Electricity Act 2003. However Appellant should approach civil or criminal court & bring the directives. On the basis of same Utility will take necessary action. The respondent further stated that Shri Ramdhani Ramsatan Prajapati had applied for lighting connection of load 0.2 KW at 142/2, Mehta compound, Dhamankar Naka, Bhiwandi on 23/02/2009 and on payment of necessary charges and submission of all relevant documents and observing commercials and technical physibility with survey of location, Utility released connection. The connection was released on 20<sup>th</sup> May 2009 by following the regulation and procedural law as defined in the MERC supply code Regulation 4.

The respondent Utility reiterated that during the course of hearing held on 11/06/2009 at ICGRU, It was explained to the complainant that service connection No. 13012251429 located at H. no142 S. no.75 Mehta Compound, Narpoli Bhiwandi was in service while handing over the record from MSEDCL to Franchisee. However considering the consumer complaint the billing of said connection is stopped, complainant were asked to produce the P.D. report so as to revise the bill from Feb 2007 on word.

### **Observations :**

The matter was heard on 23/09/2009, both the parties were present. Documents on record and deliberations of both the parties revealed that in the month of Jan 2007 MSEDCL Dist. Company deputed M/s Torrent Power Ltd. as Dist. Franchisee for Bhiwandi Area. While handing over the record by MSEDCL the service connection no. 13012251429 in the name Shri Kantilal P. Thakkar was shown in service and hence Torrent Power Ltd. (DF) billed this consumer on average basis. Forum observed from the documents that this service is not in use as stated by the Appellant from Feb 2007 onward but billed on average units of 174 per month. Hence Forum feels that these bills need to be corrected. Forum was astonished on the statement of Respondent that the consumer, should produce the P.D report, whereas it should have maintained by the respondents themselves. If it not available. Respondents should have verified the facts whether connection is in use at site & with the final reading of meter or as per available on previous record, bill should have been rectified but respondent Utility have taken no initiative. Forum therefore directs the respondent to rectify the bill for period of Feb 2007 till date if connection found not in service.

On the second prayer of the Appellant that supply of Shri Ramdhani Ramsatan Prajapati with the connection no.13013480456 should be disconnected. As per the statement of the appellant, said connection is wrongly released by the respondents on submission of forged document by Shri Ramdhani Ramsatan Prajapati. Forum observed that Shri Ramdhani Ramsatan Prajapati has submitted to Utility the tax receipt issued by authority of Bhiwandi Municipal Corporation in his name for H. no. 142/2 and has declared on affidavit on stamp paper before the Executive magisterial Bhiwandi that he is an occupant of the said premises. In such cases Forum does not find any merits to intervene the matter. If the Appellant wants to prove that these papers are forged documents the appellant should route the matter through appropriate authority.

## **ORDER**

Both the parties are to be informed accordingly.

No orders as to cost.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 3<sup>rd</sup> Oct. 2009.

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.

**S.L. KULKARNI  
CHAIRMAN  
CGRF, BHANDUP**

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