

Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. of K/N/0115/913 of 2013-14

Date of Grievance : 29/01/2014

Date of order : 05/03/2014

Period taken : 36 days.

IN THE MATTER OF GRIEVANCE NO. K/N/0115/913 OF 2013-14 IN RESPECT OF SHRI RAVINDRA LAXMAN BOROLE, AT BOROLE ESTATE, DR. R.P. ROAD, RAMNAGAR, DOMBIVLI (EAST) DOMBIVLI REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM REGARDING RELEASE OF NEW RESIDENTIAL/COMMERCIAL CONNECTION.

Shri Ravindra Laxman Borole,
At Borole Estate, Dr.R.P.Road,
Ramnagar, Dombivli (East),
Dombivli,

.... (Hereafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its

Dy.Exe.Engineer,Dombivli (E), Sub-Divn-I, (Hereinafter referred as Licencee)

Appearance : For consumer – Shri B.R.Mudaliyar
For Licencee - Shri Lahamage

(Per Shri Sadashiv S.Deshmukh, Chairperson)

Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003.(36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003).

2] This grievance is brought before us. This grievance is filed by consumer on 29/1/2014, aggrieved by order of IGRC dated 7/1/2014. Consumer is

seeking supply to shopping units in the building as prayed for new supply from 25/7/2013, not granted, consumer is aggrieved. In this matter, copy of grievance application along with papers were sent to the Nodal Officer, vide letter of this Forum bearing No. EE/CGRF/Kalyan/038 dated 29/1/2014. Thereafter on behalf of Licencee appearance is given and reply filed by Licencee on 17/2/2014. On behalf of the consumer additional details are placed on record on 17/2/2014 and 26/1/1014.

3] The matter is taken up for hearing. In this matter we heard both sides. They argued in terms of their respective contentions in the grievance application as well as reply.

4] Considering the disputed aspect, it is clear that supply is now sought in the premises, which was originally owned by Laxman Borole and said Laxman Borole died on 19/6/1981. The supply was available to Borole, under two consumer Nos i.e. 020012780835 and 020012098688 and dispute was brought before this Forum about dues involved by present applicant. Different aspects were involved in it and said grievance bearing No.755 is decided on 11/1/2013 and it was the complaint is filed by present applicant, who happens to be the son of late Laxman Borole. While rejecting the prayers of consumer in the present matter , IGRC reiterated this fact and observed that there are dues of electricity in the name of late Laxman Borole, which are to be paid pertaining to said premises and unless dues are paid, new connections cannot be given.

5] In this matter, an unsuccessful attempt is made to contend that in fact supply is, now sought to the shops in the said building having apartments and it has no concern with the previous connections. However, it is disclosed that these are the premises owned by late Laxman Borole, wherein there was supply under the aforesaid two consumer numbers for which there are arrears. Accordingly, it is clear that this aspect needs to be cured. No doubt, in the last order passed in previous grievance application of consumer, the only aspect which was considered was limited as to whether consumer has approached as legal heir of late representative of late Laxman

Borole. Hence, consumer is at liberty to seek appropriate relief by approaching Licencee and to have difficulty remedy and hence at this stage, we find that there is no any merit to consider the aspect for giving relief to the consumer. When in the same building owned by Laxman Borole supply was there and arrears are outstanding for the said supply, then unless those are paid or dealt, as per rules, as heir by the present applicant, new connections a prayed cannot be given. Hence this grievance, at this stage for reasons stated above, is to be dismissed.

Hence the order.

ORDER

1] Grievance of consumer is dismissed for want of aforesaid reasons.

Dated:5/03/2014

I agree

I agree

(Mrs.S.A.Jamdar)
Member
CGRF,Kalyan

(Chandrashekhar U.Patil)
Member Secretary
CGRF,Kalyan

(Sadaashive S.Deshmukh)
Chairperson
CGRF, Kalyan

NOTE

a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission,606/608, Keshav Bldg, Bandra Kurla Complex,Mumbai 51”.

b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address:-

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

c) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.

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