



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

Date of Grievance : 12/11/2013
Date of Order : 02/12/2013
Period Taken : 20 days

IN THE MATTER OF GRIEVANCE NO. K/E/742/886 OF 2013-14 OF M/S. SHUBH-LAXMI POWER INDUSTRIES, KUDAVALI, POST MURBAD, DIST-THANE REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT REFUND OF EXCESSIVE ENERGY BILL RECOVERED AND CHANGE OF TARIFF

M/s. Subhalaxmi Power Industries
M-40, MIDC, Kudavali
Murbad - 421401, Dist. Thane
Consumer No. 018862006654

} (Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Executive Engineer, Kalyan Zone
Kalyan II, "Tejashree" Karnik Rd.
& Asstt. Engineer, Murbad Sub-Division

} (Here-in-after
referred
as Licensee)

Appearance :- For Consumer - Mr. B.R. Mudaliar, Consumer's Representative
For Licensee - Shri N.A. Khan, Nodal Officer
Shri S.D. Suradkar, Asst. Engineer

(Per Shri. Sadashiv S. Deshmukh, Chairperson)

1. This Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers. The regulation has been made by the Maharashtra Electricity

Regulatory Commission vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

2. The Consumer is having Industrial supply from the Licensee. The Consumer is billed as per said tariff. Consumer registered grievance with the Forum on 12/11/2013 for refund of excessive energy bill recovered and change of tariff.
3. The papers containing above grievance were sent by Forum vide letter No. EE/CGRF/Kalyan/0481 dated 12/11/2013 to Nodal Officer of Licensee. The Licensee filed its reply on 27/11/2013.
4. We heard both sides. Licensee is represented by Nodal Officer-Shri. N.A. Khan, Asst. Engineer-Shri S.D. Suradkar, for Consumer Shri. B.R. Mudaliar, Consumer's Representative. In fact, C.R. was called giving a message. He attended and contended that Notice is not received by him. But we got it confirmed from Manager of Consumer about notice already received.
5. We apprised C.R. the factual position that though this grievance is filed, seeking a relief, but it is already dealt by this Forum passing Order on 13/8/2012 in Grievance No. K/E/608/719 of 2012-13 and the said grievance application was rejected. Said decision pertains to Consumer's claim pertaining to refund of amount recovered by the Licensee for the period January 2010 to December 2011 of Rs.69,810/-. It was claimed that said amount is charged, treating Consumer's supply as Commercial, though connection is given for Industrial purpose. Repairing of transformers is the work undertaken by the Consumer and said aspect treated by the Licensee as activity attracting Commercial tariff. Considering the material available before this Forum already finding is given pertaining to this aspect and grievance is rejected. Hence this second grievance on the same ground cannot be dealt by this Forum. It is also a fact that Consumer even had tried to seek relief, writing letter to this Forum on

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23/5/2013 which is already replied from this end on 27/5/2013. In spite of it,
this present grievance is filed.

Accordingly, every now and then, knowingly this aspect is being raised
and if once matter is decided by this Forum, it cannot be again reviewed or
revised, as no such powers are conferred on this Forum. Hence, for refund
sought, no relief can be granted. The grievance application is to be rejected.

Hence the order –

O-R-D-E-R

The grievance application is hereby rejected as already on the same ground,
Consumer's grievance is dealt by this Forum.

Date : 02/12/2013

I Agree

I Agree

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

(Chandrashekhar U. Patil)
Member Secretary
CGRF Kalyan

(Sadashiv 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”*

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- 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.

Filename: 886-Subhalaxmi Power Industries
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