

**Maharashtra State Electricity Distribution Co. Ltd.'s  
Consumer Grievance Redressal Forum  
Nagpur Zone, Nagpur**

---

**Case No. CGRF(NZ)174/2016**

Applicant : Seva Automotive Pvt.Ltd.  
247, Ground floor, Riaan House  
Opp.Kasturchand Park,Nagpur.

Non-applicant : Nodal Officer,  
The Superintending Engineer,  
(D/F.) NUC,MSEDCL,  
NAGPUR.

---

Applicant's Representation :- Shri Khandekar.

Respondent by 1) Shri Tekam, Nodal Office.  
2) Shri Dahasahastra, SNDL Nagpur.

---

Quorum Present : 1) Shri Shivajirao S. Patil,  
Chairman.

2) Shri N.V.Bansod  
Member

3) Mrs. V.N.Parihar,  
Member, Secretary

---

**ORDER PASSED ON 23.11.2016.**

1. The applicant filed present grievance application before this Forum on 05.11.2016 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Applicant's case in brief is that applicant applied for power connection for 65 KW on 21-03-2016, against which applicant received demand note of Rs.7269/-

dated 27-03-2016. This amount was paid by the applicant on 28-03-2016 as per receipt No.4281200. Representative of SNDL came to premises of the applicant for installation of the meter and brought meter suitable up to 10 KW only. At that time applicant also came to know that this had occurred because SNDL had considered load 7 KW instead of 65 KW. The meter was not installed as it would not have served purpose of the applicant. Therefore when applicant contacted the official of SNDL they informed that the 65 KW connection can be given to the applicant only after the required infrastructure is completed. The infrastructure is completed in due course. The applicant again approached the officials of SNDL to issue demand of additional charges if any. The officials of SNDL informed to the applicant that due to certain procedural constraints, it was not possible to issue demand note with differential amount against the consumer number allotted to the applicant earlier and advised to apply fresh for the power supply and also apply separately for refund. Accordingly, applicant applied fresh and got the power supply on 26-05-2016 after paying for a separate demand note and completing all other formalities. Simultaneously applicant applied for the refund of Rs.7269.00 as per letter dated 13-06-2016. But uptill now applicant did not received the refund.

3. Applicant further submitted that they observed that the meter provided to the applicant does not show the readings of KVAH and KVARH due to which they are not able to monitor power factor or verify the bill. A letter pointing this out and requesting for changing this meter was given to the Tulsibag office on 17-06-2016 but same was not changed for long time. Therefore applicant filed grievance application to the IGRC on 08-08-2016. As per order dated 13-05-2016 IGRC directed to SNDL to refund amount of Rs.7000/- towards the Fixed Deposit paid by

the consumer and also directed to replace the meter with an appropriate meter. Secondly applicant received telephone call from SNDL Tulsibag office and directed to called him with all documents namely, copy of company's PAN card, copy of PAN card of authorized signatory, original receipt of Rs.7269.00, copy of demand note. However applicant did not receive any refund.

4. Therefore applicant approached to this forum and claimed refund of Rs.7269.00 alongwith interest from the date of payment till refund of the amount. So also claim replacement of the meter and claim compensation of Rs.5000/- for unnecessary harassment and cost of the proceeding Rs.5000/-.

5. Non applicant, denied applicant's case by filing reply dated 21.11.2016. It is submitted that the IGRC directed Commercial Manager to paid amount of Rs.7000/- to the applicant. Then the proposal has been sent to the Nodal Office of MSEDCL for refund of Security Deposit and replace the existing meter of the applicant. As per proposal cheque of Rs.7000/- prepared vide cheque No.308962 dated 19-11-2016. Disputed meter has been replaced.

6. Forum heard arguments of both the sides and perused record.

7. It is pertinent to note that SNDL submitted very vague formal and casual reply dated 21-11-2016. In this reply SNDL did not deny the mistakes committed by them and pointed out in the grievance application. Application of the applicant is shows that since beginning there are several serious of mistakes and negligence on the part of official of SNDL. Reply of SNDL is silent. In this reply, it is also not denied that there was no harassment of the applicant and that applicant is not entitled for any interest or compensation for the harassment. Therefore official of

SNDL blindly prepared their reply and written statement submitted on 21-11-2016. They have not denied case of the applicant. It is amounting to admitted fact. Pleading of non-applicant in the replay must be specified and parawise but no parawise reply is submitted by non-applicant. It is blunder mistakes in drafting of reply.

8. Record shows that applicant applied for power connection for 65 KW on 21-03-2016 against which they received demand note for Rs.7269.00 and applicant paid this amount on 28-03-2016. When the representative of SNDL came to premises of applicant for installation of meter it was suitable up to 10KW only. At that time applicant came to know that this had occurred because SNDL had wrongly considered load of the applicant is 7 KW instead of 65 KW. The meter was not installed. Therefore it appears that official of SNDL are not ready to open their eyes and to see how much load is demanded by the applicant. Official of SNDL did not see that load of 65 KW is demanded and presumed load of SNDL 7 KW. It is a common sense that the load 7 KW and 65 KW are remote from each other. We failed to understand, how such type of mistake can be committed by Official and Officer of SNDL. It is amounting to clear cut negligence with intend to give harassment to the applicant.

9. Then applicant was informed that 65 KW connections can be given only after infrastructure is complete. The infrastructure is completed in due course. But official of SNDL informed to applicant that the demand note with differential amount against consumer No. allotted to the applicant can not be issued and advised the applicant to apply for power supply and also apply separately. It is noteworthy that

when there was mistake of SNDL they should have rectified the mistake on their own and should have refund the amount. But intentionally it is not done, it is again amounting to negligence and harassment.

10. Application of the applicant is dated 26-05-2016. Applicant also applied for refund of Rs.7269/- dated 13-05-2016 but amount of refund is not paid to the applicant. In fact Official of SNDL should have to take immediate steps and should have refunded of amount of Rs.7269/- immediately as the mistake was on the part of SNDL.

11. There is also serious of negligence by SNDL, when meter was installed, the meter does not show the readings of KVAH and KVARH due to which they are not able to monitor power factor or verify the bill. For changing this meter they applied on 17-06-2016 but meter was not changed. It is noteworthy that when SNDL installed new brand meter, it is expected that they should verify that the meter is O.K. and whether it appears display. Due to the negligence of Official of SNDL authority faulty meter was installed which does not show the readings of KVAH and KVARH. Applicant applied to change the meter on 17-06-2016. Even then faulty meter was not change till the matter was decided by IGRC. It is unnecessary harassment and negligence on the part of SNDL.

12. When due to mistake of SNDL amount of Rs.7269/- was deposited by applicant he is entitled for refund of Rs.7269/- and not only Rs.7000/- .

13. For these reasons in our opinion SNDL shall refund amount of Rs.7269/- to the applicant immediately along with interest at Bank rates according to 62(6) of Electricity Act 2003 from the date of payment till realization of the amount. Official

of SNDL acted contrary to Law, negligently and as the irresponsibility. Therefore applicant is entitled for compensation of Rs.5000/- due to unnecessary harassment faced by the applicant. It is also necessary to replace faulty meter.

14. Therefore forum proceed to pass the following order.

#### ORDER

1. Grievance application is allowed.
2. Non-applicant SNDL is directed to refund the amount of Rs.7269/- to the applicant immediately.
3. SNDL is directed to pay interest as per the Bank rates on the amount of Rs.7269/- to the applicant from the date of payment till realization of amount.
4. SNDL is directed to replace the meter with appropriate month.
5. SNDL shall pay compensation of Rs.5000/- due to unnecessary harassment faced by the applicant.
6. Non-applicant is directed to comply within 30 days from the date of this order.

Sd/-  
(N.V.Bansod)  
MEMBER

sd/-  
(Mrs.V.N.Parihar)  
MEMBER/SECRETARY

sd/-  
(Shivajirao S. Patil),  
CHAIRMAN

