

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

Case No. CGRF(NUZ)/033/2009

Applicant : Shri Dnyaneshwar M. Khaire
At Qtr. No. D-3, Power House Colony
Morshi Road,
AMRAVATI

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Mahal Division, NUZ,
Nagpur.

Quorum Present : 1) Shri S.F. Lanjewar
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 30.06.2009)

This grievance application has been filed on 03.06.2009 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of refund of Security Deposit.

Before approaching this Forum, the applicant had filed his complaint on the same subject matter before the Internal Grievance Redressal Cell (in short, the Cell) vide his application dated 24.03.2007 under the said Regulations. However, the applicant's grievance is still not redressed and hence, the present grievance application.

The matter was heard on 24.06.2009.

The applicant's representative contended that the consumer Shri D.M. Khaire who is now working in Transmission Line Amravati. He was working in 132 KV Besa S/stn. Nagpur. He had occupied the quarter No. I Type D 132 KV Besa S/stn.. He was transferred to Amravati. Hence he vacated the said quarter and he had applied for refund of Security Deposit vide Letter No. Nil dated 13.09.2008 to the Junior Engineer Sutgirni D/C MSEDCL Nagpur. He also attached the Xerox copy of M.R. No. 5957996 dated 18.06.2007 and also firm quotation copy of Rs. 2051/-.

The applicant's prayer is as follows.

- 1) Amount of Security Deposit should be refund including Interest.
- 2) He should get compensation as per S.O.P. Regulations.
- 3) He should get compensation for the mental harassment of Rs.5000/-.

The applicant had given the letter on MSETCL letter head maintaining his name, his designation and working place on dated 23.03.2009 to Executive Engineer (Adm) Internal Grievance Redressal

Cell NUC with requesting to refund of money of security deposit with interest.

He also mentioned in the said application that he frequently visited to office for the said work but he did not get response from MSEDCL side.

He had requested that he did not get the refund of money in the stipulated period as per MERC SOP Regulation. He should get compensation as per rule.

The Dy. E.E. Nandanwan had written letter vide L. No. Dy.EE/Nandanwan/Internal Grievance Redressal Unit/788 dated 16.05.2009 to EE Mahal Division. He mentioned in the above letter that the connection is permanent disconnection and arrears is outstanding against the consumer is Rs.202=22. The security deposit is of Rs.2000/- had paid vide receipt no. 5957996 dated 18.06.2007.

The Executive Engineer Mahal Division had return the case paper vide L. No. EE/Rev/2441 dated 27.05.2009 to Dy. E.E. Nandanwan maintaining that there is original M.R.

Dy. E.E. Nandanwan said in his letter no. Dy.EE/Nandanwan/Internal Grievance Redressal Unit/964 dated 10.06.2009 case was returned due to non availability of original M.R. He also mentioned that if the consumer was ready to give Indemnity Bond then the case will be resubmitted. There was no proper response to consumer & he did not received the security deposit amount he approached to Consumer Grievance Redressal Forum on dated 03.06.2009.

The matter was heard on dated 24.06.2009.

Both the parties were present for hearing. The applicant case was presented by his nominative representative one Shri Jogi while the non-applicant case was presented by Executive Engineer Mahal Division, Dy. EE Nandanwan S/Dn. and Assistant Accountant were present from MSEDCL side.

The applicant representative had argued that the consumer should get the compensation for delay payment of refund of security deposit. He also demanded compensation for mental harassment.

The non-applicant had pleaded the case he was not fault deliberately. But the original M.R. was not attached with the case, and hence it was slight delay.

He also pin-point that the consumer had applied on MSETCL letter pad. In this way he misused the Company stationary for personal use, for the applicant is liable for action as per rule. He also promised to give the security deposit amount within a day. But he is not ready to pay the penalty as demanded by the applicant.

The documents submitted by both the parties and argument at the time of hearing. The Forum had come to the conclusion and the decision is passed by Forum

- 1) The Security Deposit of consumer by adjusting the dues should refund within 7 days and informed immediately.
- 2) No compensation for the delay will be given to consumer. As there is no deliberately delay from MSEDCL part.

In view of above, the applicant's grievance application is partly allowed and the same stands disposed of in terms of this order.

The non-applicant shall work out the revised amount payable by the applicant and refund excess amount recovered from him and report compliance thereof to this Forum on or before 30.07.2009.

Sd/-
(Smt. Gauri Chandrayan)
MEMBER

Sd/-
(S.F. Lanjewar)
Member-Secretary

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**

Member-Secretary
Consumer Grievance Redressal Forum,
Maharashtra State Electricity Distribution Co.Ltd.,
Nagpur Urban Zone, NAGPUR.