

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

Case No. CGRF(NUZ)/054/2009

Applicant : M/s. Vyenktesh Castings Pvt. Ltd.,
At Lapka, Bhandara Road,
Tah. Mouda,
Dist. Nagpur.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Division No. I, NUZ,
Nagpur.

Quorum Present : 1) Smt. Meera Khadakkar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

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

3) Shri S.F. Lanjewar
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 12.11.2009)

The present grievance application has been filed on
05.10.2009 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 change of category, the applicant had already applied for change in the category for continuous to non-continuous supply vide his application dated 24.07.2009. It is the grievance of the applicant that his request was not considered. He was informed that after receiving new tariff order his request of the change of category will be considered.

The applicant has stated that now new tariff order has come into force and now he has requested for change in the category i.e. from the continuous & non-continuous.

He has further requested that excess amount paid by him may be refunded to him.

The non-applicant has filed his reply on 21.10.2009. He has admitted that the applicant has applied for conversion of category to continuous to non-continuous category. He is entitle for conversion of category, however the non-applicant has submitted that his application for change of category will be considered after receiving new tariff order. The non-applicant has submitted that the consumer has availed service of continuous category till this date. Therefore he is not entitle to claim refund of any amount.

The non-applicant has prayed for the rejection of the application.

Both the parties were heard on 31.10.2009.

The applicant is consumer of the non-applicant Company having HT consumer no. 410039006730 earlier the applicant was

continuous express feeder, he had applied for change of category from continuous to non-continuous category. The non-applicant has not denied the applicant's above contention. The non-applicant has accepted that the applicant is entitled for change in the category subject to the satisfaction of the contention laid down in the rules & regulations.

It is also an admitted position that new tariff order has come into force wherein the situation for change in the category is now clear, we are satisfied that the applicant's prayer for change of category should be considered.

After considering the arguments of both the sides, the record and other documents filed by both the parties, we are satisfied that the non-applicant should have changed the category as per the prayer from the date of his application i.e. 24.07.2009.

The non-applicant is further directed to give the effect of the change of category and their after to adjust excess amount of bill paid by the applicant.

The non-applicant has submitted that the applicant has availed service of continuous category, hence he is not entitle for refund of any amount. It is clear from the record that the applicant had applied for change of category on 24.07.2009 even after receiving tariff order, the applicant's category is not changed. Hence the non-applicant cannot denied the responsibility of adjusting the excess bill amount in future payment.

The applicant's grievance application is thus allowed, the non-applicant is directed to change of category w.e.f. 24.08.2009.

Second Billing Cycle as per Supply Code Regulations and SOP Regulations.

The non-applicant is further directed to give tariff effect from the said date and adjust the bill amount in future bills.

The non-applicant shall carryout the above directions and report compliance on or before 15.12.2009.

Sd/-	Sd/-	Sd./-
(S.F.Lanjewar)	(Smt.Gauri Chandrayan)	(Smt. Khadakkar)
Member-Secretary	MEMBER	CHAIRMAN

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