



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. K/E/1323/1567 of 2017-18

Date of registration : 18/04/2018

Date of order : 06/06/2018

Total days : 50

IN THE MATTER OF GRIEVANCE NO. K/E/1323/1567 OF 2017-18 MR.VIRENDRA PRATAP SHIVPHER SINGH, ROOM NO.5, SHRIRAM HARSAL NAGAR, SHIRDI NAGAR, ACHOLE ROAD, TAL-VASAI, DIST – THANE, PIN CODE- 401 209 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING SOP.

Mr.Virendra Pratap Shivpher Singh,
Room No.5, Shriram Harsal Nagar,
Shirdi Nagar, Achole Road,
Tal-Vasai, Dist – Vasai,
Pin Code- 401 209

(Consumers.No. 001903332081)

... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution

Company Limited,

Through it's Nodal Officer,

Vasai Circle, Vasai

... (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri.Giri, AEE, Achole S/dn.

For Consumer - Shri.Pandey (C.R.)

[Coram- Shri A.M.Garde-Chairperson, Shri A.P. Deshmukh-Member Secretary
Mrs.S.A.Jamdar- Member (CPO)].

1) 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 Redressed 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). Hereinafter it is referred as 'Regulation'.

Further the regulation has been made by MERC i.e. Maharashtra Electricity Regulatory Commission. [Electricity Supply Code and other conditions of supply 2005] Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.' Hereinafter referred 'SOP' for the sake of convenience.

2) Consumer herein is one Mr.Virendra Pratap Singh having Consumers No. 001903332081 Sub-division Achole Road (NSP East). Grievance is short is that Consumer is occupier and owner of the premises Room No.5, Shriram Harsal Nagar, Shirdi Nagar, Achole Road, Tal-Vasai, Dist – Palghar. Consumer applied to change of name and his name came to be shown as Consumer for the connection no. 001903332081. Thereafter some dispute was raised by one Mr.Wasim Akram Ansari through an agreement. Applicant objected to changing the name on record as claimed by Mr. Wasim Akram. IGRC passed wrong order allowing the change of name.

3) Distribution Licensee in reply contends that on 09/01/2013 one Mr.Satydeo Ramraj Singh obtained connection to Room No.5, Shriram Harsal Nagar, Shirdi Nagar, Achole, Nalasopara (E) bearing No. 001903332081. Then on 15/07/2016 Mr.Virendra Pratap Singh (Present applicant) gave on application for transferring the said connection to his name. There upon after verifying documents produced by him and after recovering processing fee the name of complaint Mr.Virendra Pratap Singh was entered in the record in place of Mr.Satydeo Ramraj Singh in Sept-2016.

4) Thereafter on 06/09/2016 Mr.Wasim Akram Ansari produced documents before sub division Achole for entering his name in the record for the same connection. Again after verifying his documents the processing fees were recovered from him and accordingly his name was entered in the record in Jan-2017 in place of Mr.Virendra Pratap Singh the complainant.

5) Distribution Licensee further contends that Mr.Virendra Pratap Singh gave a complaint on 21/10/2016 whereupon Mr.Wasim Akram was asked to produce his original document which he produced. Distribution Licensee further contends that there upon on the basis of some legal advice the name of Mr.Wasim Akram was continued.

6) We have heard both sides. It appears from documents produced that there is the premises Room No.5, Shriram Harsal Nagar, Shirdi Nagar, Achole, Nalasopara (E)

Dist.Palghar. It stood in the name of one Mr.Satydeo Ramraj Singh. Complaint Mr.Satydeo Ramraj Singh. Made an application to Distribution Licensee sub-division for entering his name to the record for connection bearubg consumer no. 001903332081 of the said premises. He produced the occupancy documents. After due verification his name was entered for the connection in place of Mr.Satydeo Ramraj Singh. This being so Distribution Licensee officers have removed his name and entered the name of on Mr.Wasim Akram giving the only reason that Mr.Wasim Akrams produced an agreement which is prior in date. The basic approach of the Distribution Licensee is itself fallacious. Tommarro some other person will come with a third document, will they again change the name and go on doing like that. Once having recorded the name Mr.Virendra Pratap Singh other due verification it was in cumbent upon the Distribution Licensee officer to advise Mr.Wasim Akram to obtain appropriate order from Civil Court in respect to the right over the property. It is further to be noted that the document of title of Mr.Satydeo Ramraj Singh i.e. source of his title is with Mr.Virendra Pratap Singh. Further there is also municipal bill in the name of Mr.Virendra Pratap Singh.

7) In the above senerio the subsequent action on the part of Distribution Licensee in removing the name of Mr.Virendra Pratap Singh is illegal.

Hence the order.

ORDER

- 1) The Grievance application of Consumer is partly allowed.
- 2) Order of removal of name of Mr.Virendra Pratap Singh from the record passed by the Distribution Licensee is struck off.
- 3) Name of complainant Mr.Virendra Pratap Singh to continue as Consumer for connection for Room No.5, Shriram Harsal Nagar, Shirdi Nagar, Achole, Nalasopara (E), Dist.Palghar, Consumer No. 001903332081.
- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Dated : 06/06/2018.

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

(A.P.Deshmukh)
MemberSecretary
CGRF, Kalyan.

(A.M.Garde)
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*
- c) *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”*
- d) *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.*

