

(A Govt. of Maharashtra Undertaking)

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Consumer Grievance Redressal Forum

“Vidyut Bhavan”, Gr. Floor,

L.B.S.Marg, Bhandup (W),

Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/ 90/997 Date: 13.02.2019

Hearing Date: 03/07/2018

CASE NO.90 /2018

In the Matter of billing

Shri. Ravindra Bhaskar Gowari,
Harsh Apartment, Room No. 3,
Near central Complex, Khopat,
Thane (W) – 400602. (Consumer No.00002426974 (Hereinafter referred as applicant)

Versus

Maharashtra state Electricity Distribution Company Ltd
Through it's Nodal Officer,
Thane Circle, (Hereinafter referred as Respondent)

Appearance

For Consumer: - Mr. Ravindra Govari – consumer representative.

For Utility representative :- R. B Kore additional Executive Engineer , Power House Sub division.

[Coram- Dr. Santoshkumar Jaiswal - Chairperson, Shri. R.S.Avhad -Member Secretary and Mrs. Sharmila Ranade - Member (CPO)].

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 Redressal 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

subsection 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 Regulations 2005] Here in after 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.

It is submission of complainant that there are four electricity connections shown in name of his father deceased Bhaskar Gopal Govari but all these connections are not fixed in the immovable property belonging to his father B.G. Govari. Therefore, meters shown in the name of his father are by mistake of the Respondent but Respondent has not accepted and given a wrong decision. Therefore he filed this appeal.

He further submit that his father B.G. Gavari is illiterate literate and adivasi person and the employers of the Respondent took its disadvantage and unlawfully approved the electricity connection meter no. 000018263734 dated 01.01.1987, 201 Ganesh Darshan, Thane (W) and it was proved in enquiry that this connection does not belong to complainant, the remaining three connection also do this not belong to the complainant and the Respondent has shown arrears against these connection. Therefore, arrears shown by Respondent may be cancelled and new connection may be allotted without recovery of any arrears.

The notice was issued to the Respondent to appear before forum. The Respondent, MSEDCL has submit the reply dated 18.5.2018 to the notice stating that all the four connection mentioned in the grievances where in the name of the complainant's father B.G. Gavari and these connection where release before 25 year. They further

submitted that case papers were not available with the Respondent. They further submit that there is no arrears for meter no. 000024266974 but remaining three connection have arrears. Therefore the Respondent requested to the complainant to pay the said arrears so that the new connection can be release in the name Smt. Laxmi D. Govari.

The IGRC order dated 19.12.2017 directed applicant to pay the PD arrears in the name of deceased B.G. Gavari and issue new connection in the Laxmi B. Gavari as per Rule compliance should be made within one month from the receipt of this order.

Heard both sides and gone through the evidences on record it appears that the applicant has preferred on application for getting connection on his mother name Laxmi D Govari. The Respondents have shown the arrears in the name deceased Bhaskar D Govari showing four connection in the name Bhaskar Govari & out of which only arrears of three connection .Complainant has challenged all these four connection and arrears in the name of his father .However the Respondent have submitted that they have no documentary evidence to show that the initial application of these four connection is in the name of Bhaskar Govari, Therefore they are unable to show it. It appears from the submission of utility all these connection where issue before 25 years .Under these circumstances and looking to the bonafide of the complainant he is ready to fulfil all these condition .I found it just and proper to direct complainant to pay the arrears of the Respondent in the name Bhaskar Govari to the extent of principal bill amount only with any interest and P.D charges .Hence I pass following order.

ORDER

The application 90 of 2018 hereby partly allowed.

The Respondent hereby directed to recover only principal amount from the applicant without interest or P.D charges of all four connections in the name deceased shri. B.D Govari and issue new connection in the Laxmi D. Govari as per rule.

Compliance should be made within one month from the date of receipt of this order

No order to cost.

I Agree/Disagree

I Agree/Disagree

**MRS. SHARMILA RANADE,
MEMBER
CGRF, BHANDUP**

**Dr. SANTOSHKUMAR JAISWAL
CHAIRPERSON
CGRF, BHANDUP**

**RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP**

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

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, Keshav Building,Bandra - Kurla Complex, Bandra (E),Mumbai - 400 051"
- b) b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non- compliance, part compliance or
- c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission (consumer Redressed Forum and 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.