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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/**

**Date:**

**Hearing Date: 11.09.2018**

**CASE NO. 160/2018**

**IN THE MATTER OF INTEREST ON SECURITY DEPOSITE AND REFUND OF  
CREDIT AMOUNT**

Dr. Hrushikesh Ulhas Vidhya,  
Mohan Bldg, Horizon Hospital,  
Nr. Malhar road,  
Thane west- 400602.  
(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 – Hement Hatkar      Consumer representative

For Respondent - U.S.Lele      Additional Executive Engineer. Thane Power  
House Subdivision M.S.E.D.C.L

[Coram- Dr. Satishkumar Jaiswal - Chairperson, Shri. R.S.Avhad -Member  
Secretary and 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.

The Applicant herein is Dr. Hrushikesh Ulhas Vaidya. The electricity supply of applicant has been permanently disconnected in the year 2013 on his own request. Being aggrieved with decision of IGRC the applicant filed grievance to Forum in schedule ‘A’ .

The applicant submits that the power supply connection in the name of Dr. Hrushikesh Ulhas Vaidya bearing consumer no 000017061500 .The power supply of the applicant has been permanently disconnected in 2013 due to his request. The Applicant alleging that security deposit with MSEDCL is not refunded and interest not awarded as per Mahavitaran procedure and circular since date supply i.e 15.5.2010.

The Applicant further submit the Mahavitaran record shows credit balance of Rs 5,87,730 /- but Respondent is fail to refund /adjust the same against consumer existing H.T installation bearing consumer number 000019040560.The applicant prayed to direct Respondent to award the interest on security deposit since date of supply and to refund credit balance amount in Mahavitaran record.

The notice issued to the Respondent on date 04/08/2018 to appear before forum. The Respondent of MSEDCL has submit the reply to the notice stating that the the applicant Shri.Hrushikesh Ulhas Vaidya ( PD Con No 000017061500 had approached to the IGRC & demanded

- 1)Refund of security Deposit of PD Consumer
- 2)Interest on SD since date of supply
- 3)Refund of credit balance against PD installation .

The Respondent mentions that consumer never applied for the refund of security Deposit and not submitted the original money receipt of security deposit. The Respondent further submit that the applicant is not consumer as per the definition of consumer as per Electricity Act 2003 .The Respondent also submit that the grievance is time barred as per regulation no 6.6 and may please be rejected .

Heard both parties and gone through the record ,the consumer permanently disconnected in the year 2013 on his own request .It is observed that consumer has not applied for refund S.D and not submitted the original money receipt to the Respondent . In absence of original money receipt from consumer, the Respondent cannot process application of S.D. refund. The IGRC already passed the order on 11 June 2018 to refund S.D of consumer after receipt of application along with original S.D money receipt but the applicant unnecessary raise the same grievance in Forum which is already decide by IGRC. The applicant is unable to explain that he has not received the interest on S.D from the date of connection till permanent disconnection. The applicant submit that credit balance with the Respondent 5, 87,730/- but CPL shows credit is only 67306/- in Sept 2013 and S.D amount is Rs 1,10,500/-. The applicant power supply disconnected in the year 2013 and applicant demand refund /transfer the credit amount to another connection after lapse of 5 years .The Regulation 6.6 of MERC regulations is very specific and settled position of law .The applicant has not filed his grievance before Forum within 2 years from

actual cause of action. It is crystal clear the Grievance of the applicant is time barred. Hence I proceed to pass following order

### **ORDER**

This application 160 /2018 here by dismissed.

No order as to the 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, and 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, 13<sup>th</sup> 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.