



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

**NO. K/DOS/125/1905 of 2019-20**

Date of registration : 28/05/2019

Date of order : 12/06/2019

Total days : 15

**IN THE MATTER OF GRIEVANCE NO. K/DOS/125/1905 OF 2019-20 OF SHRI.HARESHKUMAR S. VALECHA,(USER – SHRI.MANOJ R.CHHABRIA), BK NO.223, PLOT NO.2, BACK IN NARAYANDAS, APARTMENT, ULHASNAGAR – II, DIST. THANE, PIN-421 002 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.**

Shri.Hareshkumar S. Valecha,  
(User – Shri.Manoj R.Chhabria),  
BK No.223, Plot No.2, Back in Narayandas,  
Apartment, Ulhasnagar – II,  
Dist. Thane, Pin-421 002

(Consumer No. 021514931752) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution  
Company Limited

Throughit'sNodal Officer/Addl.EE.

Kalyan Circle-II, Kalyan

. . . (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Shri.M.S.Gavali, AEE, Ulhasnagar-III, S/dn.  
2) Shri.S.D.Sabale, AA, Ulhasnagar-III, S/dn.

For Consumer - Shri.J.S.Rajput(C.R.)

[Coram- ShriA.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 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 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 Regulations 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 Shri.Manoj R.Chhabria who is tenant/user while owner of the premises is one Shri.Hareshkumar S. Valecha Consumer No. 021514931752, LT-I. Grievance is that the applicant is the tenant in the premises for which there is above referred electric connection standing in the name of the owner Shri.Hareshkumar S. Valecha. Owner has given application to the Distribution Licensee to disconnect the connection to the premises.

3) Applicant submits that he has been running his business there and seeks protection.

4) Distribution Licensee in reply states that owner has given an application for disconnection to which tenant Shri.Manoj R.Chhabria has objected. Distribution Licensee issued notice to applicant which applicant refused to accept hence it was pasted on his premises.

5) Distribution Licensee further states that the applicant has not attached any documents with the objection letter.

6) We have heard both sides. Owner of the premises was also present. He also participated in the proceeding. He submitted that he wants to get the disconnection done because he apprehend mischief on the part of applicant with the connection. Then it was suggested that tenant may take fresh connection in his name and thereafter disconnection will be made. To this owner is not ready. It appears from this, that owner harbours some oblige motive to evict the tenant this way. Hence the user/tenant has to be protected. Owner was also explained that he could not do so. It was then, agreed that owner may take appropriate steps in Civil Court. So far as this connection is concerned Distribution Licensee can not disconnect.

Hence the order

### **ORDER**

- 1) The Grievance application of consumer is hereby allowed.
- 2) Distribution Licensee is directed not to disconnect Consumer No. 021514931752 on the applicant given by owner vide. Sev.Reg.0000010828634.
- 3) In case owner wants to get the supply in this name as above disconnected then, in that case the applicant may apply for fresh connection and after grant of supply in the name of the applicant Shri.Manoj R.Chhabria the connection no. 021514931752 may be disconnected.

- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 12/06/2019

(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, BandraKurla 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.