



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/DOS/130/1917 of 2019-20

Date of registration : 17/06/2019

Date of order : 19/06/2019

Total days : 3

IN THE MATTER OF GRIEVANCE NO. K/DOS/130/1917 OF 2019-20 OF SHRI.VIVEK SHRIKANT PANDEY, (USER-DAYASHANKAR S. PANDEY) FLAT NO.4, B-WING, 1ST FLOOR, SHIVRAM APARTMENT, KATEMANIVALI, KOLSHEWADI, PIN – 421 306 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

Shri.Vivek Shrikant Pandey,
(User-Dayashankar S. Pandey),
Flat No.4, B-wing, 1st Floor,
Shivram Apartment, Katemanivali,
Kolshewadi, Pin – 421 306
(Consumer No. 020850137260) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution
Company Limited
Throughit's Nodal Officer/Addl.EE.
Kalyan Circle-I, Kalyan . . . (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri.V.B.Adke, AEE, Kalyan (E) S/dn-II.

For Consumer - Shri. Dayashankar S. 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 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) In this matter an old electricity connection standing in the name of Shri.Vivek Shrikant Pandey has been disconnected on his own application. Applicant states that he is residing in the said flat. While Shri.Vivek Shrikant Pandey (nephew) is trying to forcibly evict him there from. There is section 135 applied but applicant states that Shri.Vivek Shrikant Pandey has got the meter removed and without his knowledge connected directly and applicant had no knowledge about it. This way applicant has been implicated in false case of section 135. He however says that he is ready to pay the bill drawn for section 135 on compounding. There is no case filed under section 135.

3) Distribution Licensee representative admit that applicant is occupant of the said flat There is also 'A' form submitted by the applicant for fresh connection. It appears that the applicant is occupant of the premises, through nephew Shri.Vivek Shrikant Pandey is claiming right over the same. When admittedly applicant is the occupant and Shri.Vivek Shrikant Pandey has got the old connection disconnected, applicant is entitled to fresh connection. It is clear from the contents of the application given by nephew Shri.Vivek Shrikant Pandey for disconnection that in fact he is not staying there at all and perhaps wants to drive this applicant out of the flat. It does not probablise that if he is staying there he would not require connection.

4) Be that as it may, if applicant is occupant he is entitled for fresh connection.

Hence the order

ORDER

- 1) The Grievance application of consumer is hereby partly allowed.
- 2) Distribution Licensee to issue connection to the applicant if after following due procedure applicant is found to be the occupant.
- 3) Applicant to pay the compounded bill under section 135 IE Act as agreed.
- 4) Compliance is made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 19/06/2019

(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, KeshavBldg, BandraKurlaComplex,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.