

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission
Under Section 42(6) of the Electricity Act, 2003)

REPRESENTATION NO. 13 OF 2026

In the matter of excessive billing and separate electric connection

Varsha & Sanjay Raghunath SingasaneAppellant

V/s.

Maharashtra State Electricity Distribution Co, Ltd. Mulund Dn.. Respondent No.1
(MSEDCL)

M/s. Yashraj Corporation.....Respondent No.2

Appearances:

Appellant : 1. Varsha Raghunath Singasane
2. Sanjay Raghunath Singasane

Respondent: Deepak Jadhav, Additional Executive Engineer, Neelamnagar Sub/ Dn.


Coram: Vandana Krishna [I.A.S. (Retd.)]

Date of hearing: 15th April 2026

Date of Order : 6th May 2026

ORDER

This Representation was filed on 17th February 2026 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the Order dated 22nd December 2025 in Case No. 107 of 2025 passed by the Consumer Grievance


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Redressal Forum, MSEDCL, Thane Urban Circle (the Forum). The Forum dismissed the grievance application of the Appellants.

2. The Appellants have filed this Representation against the order passed by the Forum. A physical hearing was held on 15th April 2026 through video conference. Both the parties attended the hearing physically and were heard at length. The Respondent's submissions and arguments are stated as below: - *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' where needed.]*

- (i) The subject property originally comprised a bungalow known as "Devdatta Bungalow," admeasuring approximately 1200 sq. ft., situated at CTS No. 198, Mulund (East). The electricity supply to the said bungalow stood in the name of the Appellants' mother, Smt. V. R. Singasane, since 01.01.1987. The particulars of the said connection are set out below:

Table 1:

Name	Consumer No.	Address	Date of Supply	Sanctioned load	Permant Disconnection
Smt. V. R. Singasane	000090065131	CTS No. 198, House No. 6, Gawanpada, Mulund 400081	01.01.1987	0.5 kW	In the year 2017

- (ii) The said bungalow was demolished and the land admeasuring approximately 496.1 sq.m. was handed over for development to Yashraj Corporation (Proprietor: Shri Vijay Panchal) in the year 2013. A Development Agreement dated 12.04.2013 was executed between Varsha Raghunath Singasane and Yashraj Corporation, which was duly registered with the Sub-Registrar, Kurla-2, Mumbai Suburban District on 22.09.2016 upon payment of the requisite stamp duty. The original connection (tabulated in Table 1) was subsequently permanently disconnected in the year 2017. Pursuant thereto, the developer undertook construction of a Ground + 6 storey building comprising 18 flats and obtained an electricity connection for construction purposes on 22.03.2017. The particulars of the said connection are as follows:




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Table 2:

Name	Consumer No.	Address	Date of Supply	Sanctioned load	Date of Permanent Disconnection
Yashraj Corporation	000094316235	CTS No. 198, M.P. Road, Gawanpada, 400081	22.03.2017	12 kW	Initially commercial, later converted to residential from April 2025 as per CPL Report.

- (iii) The details of allotment of the 18 flats are as below: -
- Flats Nos. 101, 102, and 302 allotted to Ms. Varsha Raghunath Singasane;
 - Flats Nos. 201, 202, and 302A allotted to Mr. Sanjay Raghunath Singasane;
 - Flat No. 902 jointly owned by both Appellants.
 - The remaining flats are sold out to the other occupants/ are vacant.
- (iv) M/s. Yashraj Corporation, the Developer initially applied for regular power supply to his Project Devdatta Tower at CTS 198, Gavanpada Mulund East on 27.03.2023 under Dedicated Distribution Facility (DDF) Scheme for 108.04 kW load with diversity factor. The effected load comes to 48.82 kW i.e. 54.24 kVA for 20 connections.
- (v) Accordingly, a joint site survey and technical estimate was submitted by the then MSEDCL's officials to the competent authority for sanction. The proposal was sanctioned by the Executive Engineer, the competent authority, Mulund Division vide sanction dated 22.05.2023. Total Estimate cost was 1,62,961/-. The validity of estimate was one year from date of issue of approval. The work involved laying of 3.5 Core 240 sq. feet cable from the existing Mukund Society Transformer Centre.
- (vi) As per the conditions clearly mentioned in the letter of technical sanction, work was to be executed by the Developer through his appointed Licensed Electrical Contractor (LEC). All the necessary permissions/NOCs required by the concerned authorities to execute the work of laying the cable were to be sought by the Developer. But it is observed that **no work has been executed by the Developer till date.**
- (vii) Moreover, **Occupation Certificate of the said building is still awaited from MCGM** without which no connection can be released in the said premises as per Circular No.15; CE/Testing/SC Order 14604 & 14605/Cir-I/7677; Dated: - 07.03.2025 which state as below:


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“The Hon’ble Supreme Court vide its judgment dated 17.12.2024, passed in Civil Appeal No. 14604/2024 (Rajendra Kumar Barjatya & Anr.) with Civil Appeal No. 14605/2024 (Rajeev Gupta & Ors.) has ordered that


21(iv) All the necessary service connections, such as, Electricity, water supply, sewerage connection etc., shall be given by the Service Provider/ Board to the buildings only after the production of the completion/ occupation certificate.

Further directed that

21 (x) If the Authorities strictly adhere to the earlier directions issued by this court and those being passed today, they would have different effect and the quantum of litigation before the Tribunal/Courts relating to house/building constructions would come down drastically. Hence necessary instructions should be issued by all the State/UT Governments in the form of Circular to all concerned with departmental action being initiated against the erring officials as per law.

In view of above, all field officers are hereby requested to follow the above Hon’ble Supreme Court Order and release electricity connections to buildings only after production of the completion occupation certificate.”

- (viii) The Appellants filed a grievance application in the Forum on 10.11.2025 for a new connection. The Forum dismissed the grievance application.
- (ix) It is not possible to release individual connections till the work completion of sanctioned infrastructure and submission of Completion Certificate of the Building from MCGM Authority. The Appellants have to execute the work of sanctioned infrastructure & to submit the occupation certificate so as to release the required connections.



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- (x) The Appellants and other consumers are provided electricity and are billed under Residential Tariff Category from 2025 on the Construction meter which was billed previously under Commercial Tariff Category. The Appellants and other residing consumers are billed under the Higher Residential Tariff as all the Occupiers are using only one electric connection.
- (xi) The Respondent stated that, as an alternative measure, the Appellants were advised to consider installation of a rooftop solar system with a view to reducing overall electricity consumption and thereby lowering the electricity bills. Such a suggestion was made only as an optional and supplementary measure.
- (xii) In view of the above, the Respondent prays that the representation be rejected.


3. The Appellant's submissions and arguments are as under:

- (i) The Appellants are the original owners of the demolished bungalow and are now residing in the said building since August 2023. At present, the sewerage utilized is of the erstwhile bungalow. A single electricity connection, originally sanctioned for construction purposes under the commercial tariff category, is presently being used to supply electricity to 10 occupied flats (out of 18, while 8 flats remain vacant) including common services such as lift, water pump, and common lighting. The Respondent has changed the tariff category from commercial to residential since 2023. Each flat constitutes a separate and independent premises.
- (ii) The monthly electricity consumption recorded on the said single connection ranges between approximately 2800 to 3800 units, leading to electricity bills in the range of ₹65,000/- to ₹85,000/-, depending upon seasonal usage. Due to a single combined connection, **billing is applied at a higher slab**, thereby imposing an excessive financial burden and giving rise to disputes among occupants regarding apportionment of charges.
- (iii) The Appellants initially applied for a new electricity connection of 7 kW in the name of their mother through the WSS Portal on 23.10.2025; however, the said application was rejected. Subsequently, their mother expired.


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- (iv) Thereafter, the Appellants filed a grievance application before the Forum on 10.11.2025 seeking separate electricity connections for the aforesaid 7 flats. The said grievance application was dismissed. The Forum failed to appreciate that the Appellants and other flat purchasers are residing in the building as lawful occupants and flat owners. Though the Developer had applied for new connections under the Dedicated Distribution Facility (DDF) Scheme, **the Developer, being financially insolvent, is unable to execute the said scheme.**
- (v) It is stated that a feeder pillar exists in the vicinity of the subject building. The adjacent building known as “Varsha Swapna” (30 Flats) has also gone for redevelopment and has been largely vacated, with only two or three occupants remaining. The power supply was from the same feeder to this adjacent building. At present, adequate load capacity is available, and the Respondent ought to supply electricity from the existing feeder pillar to the subject building. However, no proper site survey has been carried out by the Respondent. The Respondent is statutorily bound to provide electricity connections to individual flat owners under the New Service Connection Scheme in terms of Section 43 of the Electricity Act, 2003. In any event, this is a secondary aspect, as the Appellants are already consuming electricity through the existing connection.
- (vi) In the aforesaid circumstances, separate electricity connections for the said 7 flats ought to be sanctioned on humanitarian and equitable grounds. The Appellants have no independent source of income apart from the said property. It is further submitted that **no additional load would be imposed on the Respondent’s system, as the electricity load is already being consumed;** however, due to the single connection, the Appellants are subjected to higher tariff slabs.
- (vii) The absence of separate connections has resulted in serious disputes among occupants regarding contribution towards electricity charges, thereby causing undue hardship. The occupants are facing persistent issues of low and fluctuating voltage in the building, adversely affecting electrical appliances and day-to-day living. It is pertinent to note that an incident of fire had also occurred, which was fortunately brought under control immediately. The said circumstances highlight serious safety concerns arising from the


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existing arrangement. Despite the Respondent being statutorily obligated to ensure safe, reliable, and quality electricity supply, there has been a lack of adequate response and attendance to these grievances.

- (viii) The reliance on the judgment dated 17.12.2024 in Civil Appeal Nos. 14604 and 14605 of 2024 and Circular dated 07.03.2025 is wholly misplaced. **The said judgment concerns unauthorized constructions, whereas the present case involves bona fide occupants' already availing electricity since August 2023.** The Appellants are not seeking regularization of any illegality, but only **separate individual connections** to avoid unjust higher slab billing from a single connection.
- (ix) The Respondent cannot evade its statutory duty by shifting responsibility onto the developer or citing non-execution of DDF work/absence of Occupation Certificate. Electricity is already being supplied, establishing feasibility. Having admitted ongoing residential supply, the Respondent's refusal to grant separate connections is arbitrary, unreasonable, and results in continuing financial prejudice.
- (x) As per MSEDCL Circular dated 20.12.2023 (NSC Guidelines), the Respondent, being a Distribution Licensee, is under a statutory obligation to supply electricity upon receipt of a complete application and requisite charges. The said circular clearly provides that development of infrastructure, including lines and transformers, is primarily the responsibility of MSEDCL under the New Connection Scheme. It further clarifies that the DDF Scheme is optional and cannot be imposed upon consumers. Even in cases where infrastructure augmentation is required, the Respondent is bound to ensure supply within the timelines prescribed by the MERC Regulations. Thus, infrastructure constraints cannot be cited as a ground to deny supply of electricity.
- (xi) Subsequent infrastructure-related circulars issued by MSEDCL, including those dated 01.08.2024, 14.11.2024, and 16.01.2025, consistently reiterate that planning, execution, and readiness of distribution infrastructure are internal obligations of the licensee, and that consumers cannot be made to suffer on account of deficiencies or delays in infrastructure development, which squarely falls within the domain of the Respondent.


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- (xii) Reliance is also placed on the Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021 which have statutory force and mandate that electricity supply must be provided within one month where network exists and within three months where extension of infrastructure is required. Delay is permissible only in cases involving statutory clearances or default on the part of the consumer, and not on account of internal issues, administrative delays, or disputes with the developer. The Respondent's refusal in the present case is therefore contrary to the binding regulatory framework and liable to be set aside.
- (xiii) The Respondent's suggestion to consider installation of a rooftop solar system is noted as an optional measure for reducing overall electricity consumption and associated costs. However, the same is independent of and does not affect the Respondent's statutory obligation to provide separate electricity connections. The present issue relates to **rationalization of billing through individual connections, rather than reduction of consumption**. Accordingly, while the solar option may be considered separately, it cannot substitute compliance with the requirement of providing electricity supply in accordance with law.
- (xiv) In view of the foregoing, the Appellants pray that this Hon'ble Authority be pleased to direct the Respondent to sanction separate electricity connections for the 7 flats held by the Appellants, in the interest of justice and equity.

Analysis and Ruling

4. Heard the parties and perused the documents on record. The Appellants are lawful occupants/flat owners in a redeveloped building at CTS No. 198, Mulund (East), where electricity is presently supplied through a single connection, resulting in excessive billing under higher tariff slabs and disputes among occupants.

5. Appellants contended that they are in settled possession and residing in the premises since August 2023 and are already availing electricity supply through an existing connection.


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Each flat is a separate and independent unit, and denial of individual connections results in unjust higher slab billing and financial hardship. The Respondent cannot deny supply by citing non-execution of DDF work or developer default, as such internal arrangements cannot override the statutory right to electricity. Electricity is an essential service, and the Appellants are not seeking regularization of any unauthorized construction, but only separate connections for occupied premises under a redeveloped scheme duly executed by a sanctioned plan.

6. The Respondent contended that the developer had applied for supply under the DDF Scheme, but the infrastructure work has not been completed. In the absence of completion of the sanctioned infrastructure and non-production of Occupation/Completion Certificate, separate connections cannot be released. The Respondent relied upon Circular dated 07.03.2025 and the Hon'ble Supreme Court judgment dated 17.12.2024 to contend that electricity connections can be released only after production of Occupation Certificate.

7. The following issues are framed for consideration:

Issue	Description	Findings
1	Whether the Appellants, as occupiers, are entitled to separate electricity connections;	Affirmative
2	Whether the Respondent can deny such connections citing DDF non-execution and absence of Occupation Certificate.	Negative

8. It is an undisputed position that electricity supply is already being extended to the subject building and that the Appellants are in settled and lawful occupation thereof. The very fact that supply exists establishes the technical feasibility of providing individual connections. In such circumstances, **the Respondent's reliance on non-execution of DDF work is misplaced.** The DDF Scheme is not mandatory in nature and cannot be invoked as a ground to deny electricity supply. The primary obligation to develop and maintain distribution infrastructure rests upon the distribution licensee.


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9. Further, the insistence on production of an Occupation Certificate is being applied in an unduly rigid and mechanical manner. Once electricity supply is already being provided to the premises, denial of separate connections to individual occupiers' results in inequitable and inflated billing under higher tariff slabs, thereby causing continuing financial prejudice to the Appellants.


10. The reliance placed by the Respondent on the judgment of the Hon'ble Supreme Court dated 17.12.2024 is clearly misconceived and inapplicable to the facts of the present case. The said judgment was rendered in the context of unauthorized constructions, where the Hon'ble Court was concerned with the question of extending legal recognition or benefits to structures erected in violation of statutory and planning laws.

11. The present case stands on an entirely different footing. The Appellants are not seeking regularization of any alleged unauthorized construction, nor is the legality of the building under challenge in these proceedings. The limited and specific grievance of the Appellants is confined to the grant of independent electricity connections to their respective premises, which are already in use and receiving electricity through a common supply.

12. The applicable MERC Regulations cast a statutory obligation upon the Respondent to supply electricity to eligible consumers within the prescribed time frame. Grounds such as default on the part of the developer or alleged deficiencies in internal infrastructure cannot be used to defeat this statutory right of the consumers.

13. The conduct of the Respondent in continuing to supply electricity through a single connection while simultaneously refusing to grant separate connections to individual occupiers is arbitrary, unreasonable, and inequitable. Such a practice effectively compels the Appellants to bear the burden of higher tariff slabs and cross-subsidization, which is impermissible in law.

14. In view of the foregoing discussion, Issue No. 1 is answered in the Affirmative, and Issue No. 2 is answered in the Negative.


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15. The order of the Forum is set aside for lack of merit. Consequently, the Representation is partly allowed, with the following directions:

- a) The Respondent is directed to forthwith process and release seven (7) separate individual electricity connections to the Appellants for their respective flats, subject to completion of standard formalities of online application in WSS portal of MSEDCL.
- b) The Respondent shall not insist upon execution of DDF infrastructure work or production of Occupation Certificate as a precondition, in the facts of the present case.
- c) The Respondent shall arrange supply from the existing network or adopt necessary technical alternatives, without shifting its internal burden onto the Appellants.
- d) Compliance shall be ensured within 60 days.
- e) Other prayers of the Appellant stand rejected.

16. The representation stands disposed of as above.

17. While parting this order, the Respondent is advised to release electric connections for the remaining flat owners, provided they apply for the connections.

Sd/
(Vandana Krishna)
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