BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 112 OF 2025

In the matter of refund of tariff difference from commercial to industrial

Electrolab India Pvt. Ltd. . …….. …….. …… …. . ……...Appellant
(Consumer No. 000140031534)

V/s.

Maharashtra State Electricity Distribution Co. Ltd. Vashi (MSEDCL) …… Respondent

Appearances:

Appellant : 1. Jitesh Dolas
2. Suraj Chakraborty, Representative

Respondent: 1. Shashikant Jadhav, Dy. Manager, Vashi Dn.
2. Anjali Nigare, Asst. Accountant, Vashi Sub/dn.
3. Prakash Kamble Asst. Accountant, Koparkhairane Sub/dn.

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

Date of hearing: 3rd February 2026

Date of Order : 17th February 2026

ORDER

This Representation was filed on 20th November 2025 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 09.10.2025 passed by the Consumer Grievance Redressal Forum, MSEDCL, Bhandup (the

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Forum). The Forum has allowed the grievance application in Case No.18 of 2025. The operative part of the order is reproduced below.

"2. The Respondent is directed to correct the assessment period and limit the same to two years only." [Note: This refers to the assessment for Multiplying Factor.]

2. Aggrieved by the order passed by the Forum, the Appellant has filed this present representation. The Appellant appeared for the hearing in person, while the Respondent participated in hearing through video conference on 03.02.2026. Parties were heard at length. The Appellant's submissions and arguments are stated as below: - *[The Electricity Ombudsman's observations and comments are recorded under 'Notes'.]*

(i) The Appellant is a three-phase industrial consumer. The details including recovery of the Multiplying Factor are set out in **Table 1**.

Table 1:

Appellant	Consumer No.	Address	Contract Demand	Date of Supply	Activity	Date of Flying Squad Inspection	Supplementary Bill towards MF recovery from 1 to 3
Electrolab India Pvt. Ltd.	000140031534	Mahape MIDC, E-34, Mahape, 400701	150 KVA	18.07.2017	Electrolab Innovation Centre	21.02.2025	RS. 32,76,710/- added in bill of March 2025, for the period Aug'21 to Mar'25 (44 months).

(ii) The Appellant is an Electrolab Innovation Centre (EIC) which provides comprehensive analytical laboratory services supporting R&D, manufacturing, quality control for the pharmaceutical and cosmeceutical industries, with a strong focus on accuracy, precision, and scientific expertise.

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Facts & Chronological Background:

(iii) The Appellant applied for an industrial electricity connection for IT & ITES based activities under CFC No. 10236576 dated 29.05.2017. The connection was sanctioned and billed under Industrial Tariff Category.

(iv) Due to non-availability of a permanent IT/ITES certificate, in the year 2018, the officials of the Flying Squad of MSEDCL wrongly invoked Section 126 of the Electricity Act, 2003, when there was no case of unauthorized use of electricity. Thereafter, the Appellant was billed under Commercial Tariff Category.

(v) **In 2019, the Appellant addressed a detailed representation to the Additional Executive Engineer, Koperkhairne Sub. Dn., clarifying that Electrolab was engaged in IT & ITES activities and requesting correction of the applicable tariff as "Industrial".** Despite this clarification, no corrective action was taken by MSEDCL.

(vi) In 2020, MSEDCL issued Commercial Circular No. 323 dated 03.04.2020, pursuant to the MERC Tariff Order dated 30.03.2020 passed in Case No. 322 of 2019, effective from 01.04.2020, clarifying that laboratory as well as IT/ITES units do not require any permanent registration certificate from the Government of Maharashtra. Despite the binding nature of this circular, MSEDCL continued to bill the Appellant under the commercial tariff category, which was incorrect.

(vii) In July 2021, even after the installation of solar generation panels and inspection by MSEDCL officials, the tariff classification of the Appellant remained uncorrected.

(viii) **In February 2025, another Flying Squad inspection was conducted (21.02.2025), pursuant to which a fresh MF-3 assessment amounting to ₹32,76,710/- was raised, once again without rectifying the erroneous tariff classification.**

Submissions:

(ix) The Appellant filed a grievance application before the Forum on 20.05.2025. By its order dated 09.10.2025, **the Forum partly allowed the grievance by restricting the**

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recovery of the multiplying factor to a period of two years on the ground of deficiency in service, the operative portion of which is reproduced in the opening paragraph. **However, the Forum failed to adjudicate the issue of tariff classification** and did not appreciate that laboratory and IT/ITES activities fall under the Industrial tariff category in terms of the MERC Tariff Order dated 30.03.2020 passed in Case No. 322 of 2019, effective from 01.04.2020, as well as subsequent tariff orders of the Commission. The Appellant's nature of activity has remained unchanged since the date of supply, i.e., 18.07.2017. The Forum further failed to note that the Appellant has been continuously billed under an incorrect tariff category since 2017, and indisputably from 01.04.2020 onwards.

(x) The Respondent's Circular dated 08.07.2022 (ED/ DIST/ GUIDELINES/ THEFT/18100), itself clarifies that where reclassification is carried out pursuant to MERC directions and the consumer's activity is found to be eligible, only the plain tariff difference can be recovered and/or prospectively from the date of the applicable MERC guidelines. In the present case, however MSEDCL has acted contrary to its own circulars, resulting in unjust enrichment and arbitrary billing. [Note: This Circular has been issued on the subject of " theft of Electricity under Section 135/ Section 126 of I E Act 2003; Guidelines thereof "]

(xi) The Forum also failed to consider the Appellant's contention that the commercial tariff already recovered ought to have been adjusted against the industrial tariff applicable to the Appellant's category. By ignoring this fundamental contention, the Forum's findings suffer from arbitrariness and manifest bias. Although the Forum ordered to limit the M.F. recovery to two years, it failed to record that even such recovery is illegal, as it is based on a wrong tariff classification discovered beyond the permissible limitation period. Mere limitation of recovery does not cure the illegality of the underlying demand. The Forum also failed to give prospective effect to Commercial Circular No. 323, which was mandatory and binding on the distribution licensee.

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(xii) The Appellant referred to the following orders in support of its contention that the change of tariff category should be effected prospectively from the date of inspection.

a) the order passed by Appellate Tribunal for Electricity in the matter of Vianney Enterprises v. KSEB (APTEL, 07.08.2014),
b) MERC order dated 11.02.2003 in Case No. 24 of 2001, and
c) The Electricity Ombudsman, Mumbai Orders dated 23.12.2014 in Representation Nos. 124, 125, and 126.

(xiii) The reliance placed by the Forum solely on the judgments of the Hon'ble Supreme Court in Ajmer Vidyut Nigam Ltd. v. Rahamatullah Khan and Prem Cottex v. UHBVNL is misplaced. These judgments pertain to bona fide billing errors and do not apply to cases involving wrong tariff classification, regulatory non-compliance, or violation of binding circulars and tariff orders.

(xiv) The Appellant relied on Judgment of Hon'ble Supreme Court in *Maharashtra Electricity Regulatory Commission v. Reliance Energy Ltd.* [(2007) 8 SCC 381 which has authoritatively held that all powers relating to tariff determination, billing, assessment, and recovery must be exercised strictly in accordance with the Electricity Act, 2003 and the regulations framed thereunder. The Court emphasized that tariff classification and billing are statutory functions and not mere administrative acts, and that distribution licensees are mandatorily bound by the tariff orders, regulations, and directions issued by the State Electricity Regulatory Commission. It was further held that any billing or assessment made without adherence to the prescribed statutory procedure, regulatory framework, or without affording due opportunity to the consumer is vitiated in law and unsustainable. Applying the ratio of the said judgment, any assessment or recovery founded on an incorrect tariff classification or in violation of binding MERC tariff orders and circulars is illegal, void, and unenforceable.

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(xv) **The Flying Squad inspection dated 21.02.2025 itself records that the supply was being used for R&D pharmaceutical equipment; however, the MF assessment has nevertheless been raised under the DL Commercial tariff. This contradiction clearly demonstrates arbitrary and oppressive action on the part of MSEDCL.**

(xvi) In response to MSEDCL reply, the Appellant states that

(a) It is denied that the responsibility for tariff change rests solely on the consumer. **Once the consumer intimated MSEDCL in writing about the nature of use and sought correction of tariff, the statutory obligation shifted to the Respondent to verify the usage and apply the correct tariff.** As per MERC Tariff Orders from 2020 onwards, R&D, testing and laboratory activities fall under the *Industrial* category and not Commercial. Being the licensee and billing authority, MSEDCL is bound to bill under the correct tariff based on actual usage, irrespective of procedural formalities or insistence on a fresh application.

(b) Wrong tariff classification constitutes a billing error and cannot be justified on the ground of non-submission of a separate application. It is settled law that tariff applicability flows from the nature of use and not from nomenclature or procedural lapses. MSEDCL cannot shift its regulatory obligation onto the consumer, particularly when material facts and written requests were already on record. Penalizing the consumer for the licensee's failure to verify tariff eligibility violates principles of natural justice.

(c) After MERC/MSEDCL Circular No. 323 dated 03.04.2020, classifying IT/ITES/R&D activities as Industrial, the Respondent was duty-bound to accordingly change the Appellant's tariff. Continued billing under Commercial tariff despite written intimation amounts to regulatory non-compliance, deficiency in service and arbitrary billing, defeating the object of tariff rationalization. Accordingly, the Respondent's plea is untenable and liable to be rejected.

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(d) **The Appellant had first intimated the Respondent by letter dated 22.11.2018 (reiterated on 16.05.2019) regarding the nature of activity and requested tariff correction.** Once such intimation was given, the Respondent was statutorily bound to verify and apply the correct tariff. Industrial tariff is therefore liable to be applied retrospectively from the date of eligibility, at least from 03.04.2020, with refund/adjustment of excess billing.

(e) This position is supported by *Bihar State Electricity Board v. Green Rubber Industries* (1990) 1 SCC 731 and *Southern Electricity Supply Co. of Orissa Ltd. v. Sri Seetaram Rice Mill* (2012) 2 SCC 108, wherein the Hon'ble Supreme Court held that tariff is statutory, must follow the nature of use, and the licensee bears the obligation to apply the correct category. Any billing contrary thereto is illegal and unsustainable.

(xvii) In view of the above, the Appellant prays that the Respondent be directed :-

a) to correct the tariff category from Commercial to Industrial in terms of Circular No. 323 dated 03.04.2020.

b) to refund or adjust the excess billing recovered under Commercial tariff category from 2020.

c) Grant appropriate compensation for prolonged harassment, regulatory violations, and continued non-implementation of the applicable tariff classification.

3. The Respondent's written submissions along with its arguments are as below:

(i) The Appellant is a three-phase consumer (No.000140031534) from 18.07.2017. The details of sanctioned contract demand, address etc. are provided in Table 1.

(ii) The Appellant was initially billed under the industrial tariff category; however, the actual use of supply was predominantly for laboratory activities and partly for IT/ITES as well as manufacturing purposes. No permanent registration for IT/ITES activity was available. These facts were not disclosed by the Appellant at the time of release of supply, as no

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connected load was available for verification at the initial stage. In view of the absence of a permanent IT/ITES certificate, the Flying Squad of MSEDCL inspected the premises in 2018, pursuant to which the applicable tariff was changed to the "Commercial" category.

(iii) At the time of release of supply, a Genus make meter bearing No. 05796124, with a capacity of 100/5 Amp and CT ratio of 100/5 A, was installed at the consumer's premises. Accordingly, a multiplication factor (MF) of 1 was applied from the date of connection. The Appellant was billed on the basis of recorded meter readings from the commencement of supply up to June 2021. As of June 2021, the final reading on the old meter was 188,460.59 kWh.

(iv) In July 2021, the Appellant applied for a rooftop solar connection. The application was approved, and a net meter bearing No. 55-X1460594 was installed on 26.06.2021. The said meter was a CT-operated meter with a capacity of 300/5 Amp, for which the applicable multiplying factor (MF) was 3. Accordingly, upon replacement of the old meter with the solar net meter, the MF in the billing system ought to have been revised from MF-1 to MF-3. However, due to an inadvertent error, the Appellant continued to be billed with MF-1 from Aug. 2021 to Mar. 2025, covering a period of 44 months.

(v) The Respondent's Flying Squad, Vashi, inspected the premises on 21.02.2025, when the above mistake was discovered. Accordingly, on 24.02.2025, the Flying Squad, Vashi, submitted its report and proposed recovery of charges towards unbilled consumption on account of the difference between MF-1 and MF-3.

(vi) Pursuant to the Spot Verification Report (SVR) dated 21.02.2025, a supplementary bill amounting to ₹32,76,710/- towards unbilled consumption, arising from the incorrect application of MF-1 instead of MF-3 for the period from August 2021 to March 2025 (44 months), was issued on 07.03.2025. A comparative analysis of the consumption pattern prior to August 2021 and after correction of the MF from April 2025 clearly establishes that the consumption recalculated by applying MF-3 for the period from August 2021 is justified. The consumption pattern of the Appellant from date of connection is tabulated as below: -

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Table 2:

Year	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
Month	**Cons. (Units)**	**Cons. (Units)**	**Cons. (Units)**	**Cons. (Units)**	**Cons. (Units)**	**Cons. (Units)**	**Cons. (Units)**	**Cons. (Units)**	**Cons. (Units)**
Apr		351	5989	4248	8038	**2610**	**1575**	**2086**	8404
May		0	7437	621	8000	**2811**	**2091**	**2757**	9129
Jun		1243	7872	621	8000	**3216**	**2195**	**2654**	8208
Jul		515	7776	16783	11192	**2137**	**2507**	**2382**	7802
Aug		948	6739	4010	**2173**	**2137**	**1966**	**2362**	8259
Sep	166	2450	6445	4752	**1873**	**2208**	**2061**	**2228**	6701
Oct	78	5865	5908	4353	**1860**	**1862**	**1996**	**1986**	6815
Nov	307	6789	6984	6250	**2011**	**1947**	**2367**	**2233**	6335
Dec	312	5592	7353	5185	**2021**	**2003**	**2063**	**2089**	6847
Jan	224	5078	6713	5801	**1687**	**2022**	**2124**	**2444**	7862
Feb	301	4936	5832	5797	**1839**	**1700**	**1828**	**2519**	
Mar	209	4875	6069	6137	**1775**	**1585**	**1812**	**2522**	
	1597	38642	81117	64558	50469	26238	24585	28262	76362
Avg/Mth	5520	3220	6760	5380	4206	2187	2049	2355	7636
Note	1. The Solar Rooftop system was commissioned in July 2021. 2. The Multiplying Factor was revised from one to three; however, the Appellant was incorrectly billed with a MF of one for the period from August 2021 to March 2025.								

It is evident that there was a substantial reduction in the recorded consumption from August 2021 to March 2023 due to the incorrect application of the multiplying factor (MF) as 1 instead of 3. Consequently, the Appellant consumed electricity that was not fully billed at the applicable rate, and such unbilled consumption is liable to be recovered as escaped billing.

(vii) The Respondent placed reliance on the judgment of the Hon'ble Supreme Court in Civil Appeal No. 7235 of 2009, M/s Prem Cottex v. Uttar Haryana Bijli Vitran Nigam Ltd., wherein the licensee's right to recover escaped billing was unequivocally upheld. The said judgment squarely applies to the facts of the present case. The Hon'ble Supreme Court

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permitted recovery of the entire supplementary bill and further held that Section 56(2) of the Electricity Act, 2003 does not come into operation, as the consumer had admittedly consumed the electricity, and the Respondent, being the distribution licensee, is duty-bound to recover the charges for such consumed energy, which is a precious and costly resource. Once these principles are accepted, the question of restricting the licensee to recovery by any mode other than disconnection does not arise.

(viii) The Electricity Ombudsman exercises supervisory jurisdiction over the Consumer Grievance Redressal Forum (CGRF), and consequently, the orders passed by the Electricity Ombudsman are binding on the CGRF. The Hon'ble Electricity Ombudsman has, in several matters, issued authoritative orders permitting recovery arising out of errors in application of Multiplying Factors. During the course of hearing, the Respondent specifically brought such precedents to the notice of the Forum; however, the Forum did not record any findings or reasons with respect to the said submissions, despite their direct applicability to the present case.

(ix) By way of illustration, the Respondent relied upon the decision of the Hon'ble Electricity Ombudsman in *Representation No. 176 of 2022, M/s Ansukh Polymers Pvt. Ltd. v. MSEDCL*, decided on 12.01.2023, wherein recovery of escaped billing for a period of three years on account of incorrect application of Multiplying Factor was expressly permitted. Notwithstanding the binding nature of the said decision and its specific citation before the CGRF, the Forum passed an order contrary thereto. The Respondent has placed reliance on the said order in support of its submissions.

(x) Independent R&D units were classified under the Commercial category until the passing of the MERC MYT Tariff Order dated 30.03.2020 in Case No. 322 of 2019. **Independent R&D was brought under the Industrial category only with effect from 01.04.2020. Applications dated 16.05.2018 and 22.11.2018 are therefore irrelevant, having been submitted prior to the said tariff order.** The Appellant did not submit any application for change of tariff until 01.09.2025. There was no impediment preventing the Appellant from applying earlier. Given the large consumer base, it is not feasible for MSEDCL to

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suo motu identify change in usage; it is the beneficiary consumer who is required to apply for change of tariff. Had the Appellant applied earlier, MSEDCL would have had an opportunity to verify the usage during the relevant period. At this stage, verification of past usage is not feasible.

(xi) Pursuant to the Appellant's online application dated 01.09.2025 seeking change of tariff from Commercial to Industrial, the premises were inspected on 15.09.2025. Upon confirmation of usage, the tariff was changed from Commercial to Industrial in November 2025 with effect from 01.09.2025. The prayer for refund of tariff difference from the date of connection is untenable which is time barred and beyond limitation as per Regulation 6.6 / 7.8 of CGRF and EO Regulations, 2006 / 2020, which provides that the Forum shall not admit any grievance unless it is filed within 2 years from the date on which the cause of action arose. Therefore, the claim of the Appellant is not maintainable at the initial stage itself and the representation be rejected on this ground alone. The said Regulation 6.6 7.8 of the CGRF Regulations 2006/2020 is quoted below:

> *"The Forum shall not admit any Grievance unless it is filed within two years from the date on which the cause of action has arisen."*

(xii) *Prima facie*, the Forum failed to appreciate the basic issues involved and did not pass a reasoned order addressing the alleged grievances raised by the Appellant. The findings recorded do not deal with the material submissions advanced by the Respondent, nor do they examine the issues within the framework of the applicable Regulations and binding judicial precedents.

(xiii) In view of the above, the Respondent prays that the present Representation be entertained by this Hon'ble Electricity Ombudsman by treating the grievance as a fresh representation, or, in the alternative, be remanded to the Forum with a direction to adjudicate the matter a fresh by considering all aspects of the alleged grievance and by passing a reasoned order strictly in accordance with the Regulations of the Commission and the judgments and orders relied upon by the Licensee.

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4. Post-hearing, the Respondent vide letter dated 09.02.2026 submitted that during the hearing held on 03.02.2026, it transpired that a partial review of the Forum's order has been sought (only on the issue of tariff category) by selectively excluding the M.F. portion of order which is patently illegal and unsustainable in law. It was further clarified that the concerned senior officer of MSEDCL was engaged in the MERC Public Hearing at CBD Belapur, Navi Mumbai at the relevant time; hence, though an objection was indicated, the same could not be elaborated in detail during the hearing.

a) It is submitted that the Electricity Ombudsman exercises supervisory jurisdiction over the Forum and its decisions are binding upon the Forum. Reliance is placed on the decision dated 12.01.2023 in Representation No. 176 of 2022, *M/s. Ansukh Polymers Pvt. Ltd. vs. MSEDCL*, wherein recovery of three years towards escape billing due to wrong application of MF was upheld. Despite the said decision being brought to its notice, the Forum has passed an order contrary to the binding precedent without assigning any reasons.

b) As mandated under Regulation 9.3 of the CGRF and EO Regulations, 2020, the Forum is required to pass a reasoned and speaking order on all issues raised by the parties. The impugned order fails to record reasons for deviating from the ratio laid down by the Hon'ble Electricity Ombudsman and is therefore vitiated by non-application of mind. The Forum is also silent on the issue of tariff category change and the alleged retrospective refund.

c) In view of Regulation 21 of the CGRF and EO Regulations, 2020, this Hon'ble Electricity Ombudsman is empowered to remand the matter where the Forum's order is set aside. Accordingly, the Respondent prays that the impugned order be set aside and the matter be remanded to the Forum for *de novo* consideration with a direction to pass a reasoned order on all issues, in light of the decision dated 12.01.2023 in Representation No. 176 of 2022 and the judgment of the Hon'ble Supreme Court in *Prem Cottex vs. Uttar Haryana Bijli Vitran Nigam Ltd. & Ors.* [2021 SCC on Line SC 870], and further to uphold the supplementary bill dated 07.03.2025 as legal and proper.

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[Note: It is not clear why the Respondent did not file a review application before the Forum, if it was not satisfied with the 2 years' M.F. recovery ordered by the Forum.]

5. The Appellant, vide reply dated Nil, responded to MSEDCL's post-hearing submissions and placed its position on record. The Respondent has already complied with the CGRF Order dated 09.10.2025 restricting the M.F. recovery to 2 years, as reflected in the Monthly Bill for February 2026. Once the Order has been implemented, the Respondent is estopped in law from reopening or challenging the same. Regulation 21 is mandatory in nature and does not operate automatically. In the circumstances, if the Respondent is aggrieved, the only remedy available is to invoke the writ jurisdiction of the Hon'ble High Court.

The Respondent's attempt to seek remand after having complied with the CGRF Order amounts to an abuse of the process of law. Such an attempt seeks to nullify the relief already granted (2 years M.F. recovery), and reopen issues that have attained finality, which would defeat the object of the consumer grievance redressal mechanism and undermine the authority of CGRF Orders.

In view of the above, the Appellant prays that this Hon'ble Electricity Ombudsman be pleased to reject the Respondent's prayer for remand as being untenable and barred in law, hold that Regulation 21 is inapplicable in the present case, decide (only) the pending issue (tariff category) on merits and uphold the finality of the Forum's Order dated 09.10.2025.

Analysis and Ruling

6. There were mainly two issues before the Forum, one of retrospective recovery towards multiplying factor, and the second issue was the correct tariff category (Commercial or Industrial). We find that the Forum did not consider these two issues properly in its order, with reasons. Specifically, it did not clarify as to whether the higher M.F. recovery calculations should be based on industrial or commercial tariff rates.

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7. Regulation 9 of the CGRF and EO Regulations, 2020 mandates that

9. Findings of the Forum

9.1 After considering the Grievance submitted by the Complainant, issue-wise comments on the Grievance submitted by the Distribution Licensee and all other records available, and after affording reasonable opportunity of being heard to the parties, the Forum shall complete the proceedings and pass appropriate order for redressal of the Grievance within the time specified in Regulation 5.2.

9.2 If, after the completion of the proceedings, the Forum is satisfied after voting that any of the allegations contained in the Grievance is correct, it shall issue an order to the Distribution Licensee directing it to do one or more of the following things in a time bound manner, namely- (a) remove the cause of Grievance in question; (b) return to the Complainant the undue charges paid by the Complainant along with interest, at the rate equal to Bank Rate declared by the Reserve Bank of India prevailing during the relevant period; (c) pay such amount as may be awarded by it as compensation to the Complainant as specified by the Commission in the standards of performance of Distribution Licensees: Provided that in no case shall any Complainant be entitled to indirect, consequential, incidental, punitive, or exemplary damages, loss of profits or opportunity; (d) any other order, deemed appropriate in the facts and circumstances of the case:

Provided that the Forum may order partial relief to the Complainant under appropriate circumstances, duly recorded with proper justification.

9.3: Every Order made by the Forum shall be a reasoned Order either in Marathi or English and signed by the Members conducting the proceedings: Provided that where the Members differ on any point or points, the opinion of the majority shall be the Order of the Forum: Provided further that the opinion of the minority shall however, be recorded and form part of the Order, and shall be issued along with the Order passed by the majority.

8. On a careful scrutiny of the impugned order and the material available on record, this Authority finds that the order passed by the Forum is non-speaking and suffers from patent

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infirmities. The Forum has failed to record cogent reasons, has not dealt with the material documents and submissions placed on record, and its conclusions are not supported by proper appreciation of evidence. An order which does not disclose reasons and does not demonstrate application of mind is unsustainable in law, being violate of the settled principles of natural justice.

9. In view of the foregoing, the impugned order cannot be sustained and is hereby set aside. The matter is remanded for *de novo* consideration, meaning thereby that it shall be adjudicated afresh from its inception, independently and uninfluenced by any observations or findings recorded in the earlier order. The Forum concerned shall afford adequate opportunity of hearing to both parties, consider all documentary and oral evidence placed on record, and pass a reasoned and speaking order in accordance with law on both issues, i.e.(i) which tariff category should be applied and for which period, and (ii) the period of M.F. recovery, and on which tariff should it be based.

10. It is noted that a new Forum for Vashi Circle has been established in the year 2025 and is functioning independently for cases from August 2025 onwards. Accordingly, since the grievance pertains to Vashi Circle, which is under the jurisdiction of Vashi Forum, this representation is remanded to the Vashi Forum. The Forum is directed to conduct a fresh hearing and pass an appropriate order in accordance with law within 45 days from the date of receipt of this order.

11. The Representation stands disposed of accordingly.

Sd/-
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