

**BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)**

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

REVIEW APPLICATION NO. 2 OF 2020

IN

REVIEW OF ORDER IN REPRESENTATION NO. 208 OF 2019

In the matter of billing

Pooja textiles..... Applicant  
(Prop. Pravin Thakkar) (Original Applicant)

V/s.

Maharashtra State Electricity Distribution Co. Ltd. Bhiwandi (MSEDCL)..... Respondent

Appearances

For Applicant : Pravin Thakkar

For Respondent : 1. Satish Dhope, Dy. Ex. Engineer, MSEDCL  
2. R.S. Shanbhag, AGM, TPL  
3. Hemangi Bhogvekar, Asstt. Manager, TPL

**Coram: Deepak Lad**

Date of Order: 27<sup>th</sup> February 2020

ORDER

This Review Application has been filed on 22<sup>nd</sup> January 2020 under Regulation 19 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (CGRF Regulations) for review of the order dated 9<sup>th</sup> January 2020 passed in Representation No. 208 of 2019.



(Dilip Dumbre)  
Secretary

Electricity Ombudsman Mumbai



2. The Representation No. 208 of 2019 was rejected by the order dated 9<sup>th</sup> January 2020.
3. The Applicant (original Appellant) has filed this Review Application for review of order passed in Representation No. 208 of 2019 stating in brief as under: -
- (i) The Ombudsman while passing the order in the original representation in case No. 208 of 2019 has rejected the grievance with respect to wrong billing, disconnection of supply without any notice and notice was not sent as per procedure of the Section 171 of the Electricity Act, 2003 (the Act).
  - (ii) The Respondent, TPL has not mentioned the name of the Applicant in the alleged notice issued under Section 163 of the Act. The said notice is manipulated, fabricated etc. after thought. Hence, the same is to be treated cancelled and hence total order be reviewed in the angle of manipulated of the notice.
  - (iii) The disconnection claimed as per Section 56(1) of the Act was illegal as Appellant was wrongly billed.
  - (iv) There was no supply for about two months due to illegal disconnection. Hence the Respondent TPL has no moral right to take fixed charges.
  - (v) The Applicant prays that the review application be allowed, and the Respondent be directed to refund the fixed charges during the period of temporary disconnection. The compensation of Rs.50,000/- be given towards mental torture.
4. The Respondent, MSEDCL / TPC has filed the reply on 10.02.2020 stating in brief that Hon`ble Electricity Ombudsman has already passed the order covering the issues raised in this Review Application. The Applicant is trying to mislead by submitting the same points repetitively. Therefore, as per Regulation 19 of CGRF Regulations, the Review Application should be dismissed.
5. During the hearing on 26.02.2020, the Applicant argued in line with his written submission and shown the copy of the notice which does not bear his name though the address is printed. Hence, the said notice is illegal. The Applicant prays that the review application be

  
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allowed on this ground itself, and the Respondent be directed to refund the fixed charges during the period of temporary disconnection. The compensation of Rs.50,000/- be given towards mental torture.

6. The Respondent argued that the Review Application be dismissed as per Regulation 19 of CGRF Regulations with cost to the Applicant for wasting the valuable time of the grievance mechanism as nothing new is submitted by the Applicant. The issue that the notice does not bear his name was also argued by him in the original representation No. 208 of 2019. It was also clarified that it is a typographical mistake.

### **Analysis and Ruling**

7. I heard both the parties and perused the documents on record. This review has been filed by the Applicant under Regulation 19 of CGRF Regulations. Regulation 19 is reproduced below: -

*“Review of order*

*19.1 Any person aggrieved by an order of the Electricity Ombudsman, may, upon the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed or on account of some mistake or error apparent from the face of the record, may apply for a review of such order, within thirty (30) days of the date of the order, as the case may be, to the Electricity Ombudsman.*

*19.2 An application for such review shall clearly state the matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed or the mistake or error apparent from the face of the record. The application shall be accompanied by such documents, supporting data and statements as the Electricity Ombudsman may determine.*

*19.3 When it appears to the Electricity Ombudsman that there is no sufficient ground for review, the Electricity Ombudsman shall reject such review application.*

*Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard.*

*19.4 When the Electricity Ombudsman is of the opinion that the review application should be granted, it shall grant the same provided that no such*



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Secretary

Electricity Ombudsman Mumbai



*application will be granted without previous notice to the opposite side or party to enable him to appear and to be heard in support of the order, there view of which is applied for.”*

8. The Applicant has repeated all the points which were available on record while deciding the Representation 208 of 2019. The Applicant has failed to produce any new evidence or mistake or error apparent on the face of the record.

9. In view of the above, I do not find any reason to review the order dated 09.01.2020 in Representation No. 208 of 2019 as the application does not stand scrutiny to the Regulatory provision in this regard. However, the undersigned again explained to the Applicant that he is supposed to pay the fixed charges during the period of temporary disconnection.

10. The Review application is therefore rejected.

Sd/-  
(Deepak Lad)  
Electricity Ombudsman (Mumbai)

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai

