

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 20 OF 2020

In the matter of fixing of meter

Prajapati Ramdhani Ramsatan..... Appellant

V/s.

Maharashtra State Electricity Distribution Co. Ltd. Bhiwandi (MSEDCL) Respondent
With Torrent Power Limited (TPL)

Appearances

For Appellant : Pravin Thakkar, Representative


For Respondent : 1. Satish Dhope, Dy. Ex. Engineer, Bhiwandi
2. R. S. Shanbhag, A.G.M., TPL
3. Hemangi Bhogvekar, Asstt. Manager, TPL

Coram: Deepak Lad

Date of Order: - 3rd March 2020

ORDER

This Representation is filed on 19th December 2019 with incomplete Schedule B. The same was pointed out vide letter dated 24th December 2019. The Appellant submitted the same on 3rd February 2020 and then the Representation is registered on the same day under Regulation 17.2 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (CGRF Regulations) against the Order dated 10th October 2019 passed by the Consumer Grievance Redressal Forum, MSEDCL Bhandup Zone (the Forum).


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai



2. The Forum, by its order dated 10.10.2019 has dismissed the grievance application in Case No.298 / 2018.

3. Aggrieved by the order of the Forum, the Appellant has filed this representation stating in brief as below: -


- (i) Appellant is a single-phase commercial consumer (No.13013480456) at H.No.142/2, Mehta Compound, Narpoli, Part – I, Bhiwandi.
- (ii) There is another commercial consumer in the name of Smt. Savitaben D. Thakkar (who happens to be the late mother of Pravin Thakkar) at H.No.142, Mehta Compound, Narpoli, Part-I, Bhiwandi. The meter of the Appellant is fixed on the wall of the said premises where the commercial connection has already been released.
- (iii) As per the RTI Act 2005, the premises of the Appellant is not on municipal record of Bhiwandi Nizampur City Municipal Corporation.
- (iv) The meter of the Appellant needs to be removed from the said premises owned by late Smt. Savitaben D. Thakkar.


4. The Respondent attended the hearing, however, no written reply was submitted by it. The Respondent further submitted during the hearing that though it did not submit the reply, it is knowing all the facts of the case and will argue.

5. During the hearing on 26.02.2020, Mr. Pravin Thakkar who is not the Appellant argued that the premises on which the meter of the Appellant is fixed, is owned by his late mother. The same needs to be removed and be fixed appropriately as the meter of some other consumer cannot be fixed on the somebody else's wall. The Respondent argued that it will check the facts and it will shift the meter within a week.

Analysis and Ruling

6. Heard both the parties and perused the documents on record and the arguments advanced by both the parties. While the order was being written, it was informed by the Respondent


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telephonically on 03.03.2020 that the meter has been removed from the premises of late Smt. Savitaben D. Thakkar.

7. While perusing the record, I noticed that:-

- (a) The Forum has passed the order on 10.10.2019 and Mr. Pravin Thakkar under guise of the Appellant filed the incomplete representation on 19.12.2019 which was finally complied with and registered with this office on 03.02.2020. Therefore, the representation has not been filed within stipulated period of 60 days from the date of the order of the Forum. Even Mr. Thakkar did not specifically pray for condonation of delay in filing the representation. On this account itself, the representation can be dismissed as non-maintainable.
- (b) Initial filing of representation by Mr. Pravin Thakkar is without application of mind.
- (c) The Appellant is a consumer but Mr. Pravin Thakkar who represented the case without any appropriate authority has his own grievance with Mr. Prajapati Ramdhani Ramsatan. Mr. Pravin Thakkar is not the Appellant.
- (d) Mr. Pravin Thakkar has himself signed on Schedule 'B' as the Appellant. Similarly, authorization is also in the name of 'self' i.e. Pravin Thakkar. Thus, the representation is totally prima facie not maintainable. It is not understood as to how Mr. Pravin Thakkar has filed a representation as Appellant in the name of Prajapati Ramdhani Ramsatan.
- (e) Mr. Pravin Thakkar has filed many cases in past with this office and even represented other's cases. He, therefore, appears to be a very knowledgeable person and understands the nitty gritty of law. Therefore, the misdemeanour on the part of Mr. Thakkar in this case is a very serious matter as he has knowingly misrepresented. Mr. Pravin Thakkar is cautioned not to venture into such type of activities in future which shall be viewed seriously.

8. The representation is dismissed.

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


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

