

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
Tel. 022 22163964/65/69 Fax 22163976
Email: mercindia@merc.gov.in
Website: www.mercindia.org.in / www.merc.gov.in**

Case No. 130 of 2015

Dated: 19 January, 2016

**CORAM: Shri Azeez M. Khan, Member
Shri Deepak Lad, Member**

**In the matter of
Petition of M/s. Spentex Industries Ltd. under Sections 142 & 146 of the Electricity Act,
2003 for non-compliance of the Order dated 06.04.2015 in Case No. 17 of 2015 passed
by the Electricity Ombudsman, Nagpur regarding correcting of energy bill for the
month of April ,2012 and refund damages with interest.**

M/s. Spentex Industries Ltd.Petitioner

V/s

The Superintending Engineer (NUC), MSEDCL, Prakash Bhawan, Respondent
Nagpur

Appearance

For the Petitioner: Shri R.G. Mukundwar, Representative

For the Respondent: Shri M.S. Dhoble, S.E (NUC), MSEDCL
Shri A.Y.Raut,
Manager (F&A) (NUC), MSEDCL

Consumer Representative: Dr. Pendse, TBIA

Daily Order

Heard the Representatives for the Petitioner and Respondent.

1. The Petitioner reiterated the issues raised in the Petition. The Petitioner stated that MSEDCL has violated the Order of the Electricity Ombudsman, Nagpur dated 6 April, 2015, wherein MSEDCL was directed to issue the revised bills and refund the disputed amount with interest to the Petitioner within a month. The Petitioner followed up with MSEDCL from April, 2015 to August, 2015 for compliance of the Order but MSEDCL did not respond. After filing of the Petition before the

Commission by Petitioner, MSEDCL has filed an Appeal in the Bombay High Court, Nagpur Bench challenging the Order.

2. Further, the Petitioner stated that MSEDCL has credited the disputed amount in its bill for the month of January, 2013. Thereafter, MSEDCL has reversed the credited amount and asked for payment in bill for the month of April, 2013.
3. The Commission enquired that as to on what bases, MSEDCL has reversed its considered decision which was apparently in line with a MSEDCL's own Circular dated 7 February, 2012 issued by Director (Finance). In reply, MSEDCL submitted that the credit given to the Consumer was reversed as per the directives of the Account Inspection Wing of Corporate Office.
4. Representative of MSEDCL further stated that it has challenged the Ombudsman's Order before the Bombay High Court, Nagpur Bench and the Court has granted stay on 6 October, 2015.
5. The Commission notes that the matter is subjudice and has been stayed by the Bombay High Court, Nagpur Bench.

The Case is reserved for Order.

Sd/-

**(Deepak Lad)
Member**

Sd/-

**(Azeez M. Khan)
Member**