

**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005  
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**Case No. 120 of 2015**

**Dated: 2 February, 2016**

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

**In the matter of**

Petition of M/s. Harsha Agencies (HA) , under Sections 43 (1), 43 (2) & 142 of the Electricity Act, 2003 against the personnel's of BEST – A ward, for having sanctioned an additional meter for a single premises already having power under the same tariff , violating provisions of the Electricity Act 2003.

M/s. Harsha Agencies .....Petitioner

V/s

The General Manager, BEST Undertaking, BEST. .... Respondent

**Appearance**

For the Petitioner: Ms. Meeta J. Asher (Advocate)

For the Respondent: Shri M. Kalzunkar (Advocate)

**Daily Order**

Heard the Advocates of the Petitioner and Respondent.

1. The Petitioner reiterated the issues raised in the Petition. BEST has granted an additional meter to M/s. Candle Light Co. Pvt. Ltd. at 3<sup>rd</sup> Pasta Lane, Colaba in the same premises and under same Tariff in 2008, in contravention of the provisions of the Section 43(1&2) of EA, 2003, BEST's Terms and Condition of Supply, MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 and conditions of BEST's meter sanction letter.
2. On enquiry by the Commission regarding previous litigations in the matter, Petitioner stated that it had approached the Electricity Ombudsman, Mumbai and the High Court of Judicature at Bombay which had passed final Orders.

3. Advocate of BEST submitted that, to resolve the consumers' grievances, there is a separate mechanism of IGRC, CGRF and Electricity Ombudsman established as per the provisions of EA, 2003. The issue raised in the Petition is of individual Consumer grievance and has been already decided by the Electricity Ombudsman, Mumbai and the High Court of Judicature at Bombay on merits. Further, he stated that there is no violation or non-compliance of directions of the Commission or contravention of any provisions of EA, 2003. Hence, the Commission does not have jurisdiction in this Case.

**The Case is reserved for Order.**

**Sd/-**

**(Deepak J. Lad)  
Member**

**Sd/-**

**(Azeez M. Khan)  
Member**