

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 136 of 2017

Date: 13 December, 2017

CORAM

**Shri. Anand B. Kulkarni, Chairperson
Shri. Deepak Lad, Member**

In the matter of

**Petition of Shri Ramchandra Dayashankar Pandey under Section 142 and 146 of the
Electricity Act 2003 and various sections of the Consumer Grievance Redressal Forum
and the Electricity Ombudsman Regulations, 2006.**

Shri. Ramchandra Dayashankar Pandey

... Petitioner

V/s

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

CGRF, Kalyan

Electricity Ombudsman, Mumbai

}
... Respondent

Appearance:

For the Petitioner:

... Shri. R.D.Pandey

For the Respondent:

... Shri. Rajiv B Vaman (Rep.)

... Shri. Rohit Sankhe (Rep.)

Daily Order

1. Heard the Petitioner and Representative of MSEDCL.

2. Petitioner stated as follows:

- (a) Without giving any notice MSEDCL disconnected his connection and thus, violated the Electricity Act (EA), 2003, which mandates the Distribution Licensee to give prior notice to the consumer before disconnecting the supply.
- (b) Both the CGRF and the Electricity Ombudsman (EO) has violated the CGRF Regulations, 2006 by rejecting his grievance on the ground of the jurisdiction.

3. To a query of the Commission, the Petitioner replied that the said disconnection was done by the MSEDCL on the instructions of Executive Magistrate, Palghar. However, MSEDCL disconnected his connection without any notice and hence, action under Section 142 of the EA, 2003 should be initiated against MSEDCL and since, the CGRF and the EO violated the CGRF Regulations, 2006, action under Section 142 of the EA, 2003 should be initiated against them also.

4. Representative of MSEDCL stated that it has not violated the EA, 2003 as the Petitioner's connection was disconnected while giving effect to the orders of the Executive Magistrate, who had directed his sub-ordinate to instruct MSEDCL to disconnect the connection during the eviction drive of the illegal encroachment on the tribal land.

The Case is reserved for Order.

**Sd/-
(Deepak Lad)
Member**

**Sd/-
(Anand B. Kulkarni)
Chairperson**