

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 20 of 2017

Dated: 13 April, 2017

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

In the matter of Petition of M/s. Laxmi Organics Industries Limited under Section 142 read with Regulation 25 of MERC (CGRF) 2006 for non-compliance of order dated 03.06.2016 passed in Case No. 59 of 2015 and in the matter of non-compliance of MERC order 3rd June 2016 by Respondent for not following the directions of MERC and MERC (Consumer Redressal Grievance Forum) 2006

M/s. Laxmi Organics Industries Ltd. (LOIL) Petitioner

V/s

Consumer Grievance Redressal Forum, Kalyan Zone (CGRF) Respondent

Appearance:

For the Petitioner: Shri. Subir Kumar (Adv.)

For the Respondent: Shri. Ashish Singh (Adv.)

Daily Order

1. Advocate of the Petitioner stated as follows:

- (i) The Commission, in its Order dated 3 June, 2016 in Case No. 59 of 2015, had directed LOIL to approach CGRF within 2 months. He stated that LOIL came to know about the Order from the Website of the Commission on 6 June, 2016 and received the authenticated copy of the Order on 15 June, 2016. Thereafter, the Petitioner had approached the CGRF on 3 August, 2016. However, CGRF, Kalyan, in a hearing before admission in its Order dated 6 August, 2016 has not admitted the grievance application due to delay of two days in filing the application and has also not expressed any opinion regarding the merits of the consumer's claim.

- (ii) The Commission may clarify that the time frame of two months for approaching CGRF stipulated in the Order dated 3 June, 2016 in Case No. 59 of 2015 is either from the date on which LOIL came to know about the Order from the Website of the Commission (i.e 6 June, 2016) or the date on which it received the authenticated copy of the Order (i.e 15 June, 2016).
2. To a query of the Commission as to why it had not approached the Electricity Ombudsman (EO) if aggrieved by the Order passed by the CGRF as per the procedure stipulated in the MERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2006 instead of approaching the Commission, the Advocate of the Petitioner replied that, since EO may give the same treatment as the CGRF, it preferred to file this Petition before the Commission for clarification of the time frame for approaching CGRF. To a query of the Commission, the Advocate of the Petitioner replied that it had not impleaded MSEDCL.

The Case is reserved for Order.

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

**Sd/-
(Azeez M. Khan)
Member**