

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai
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Date: 5 April, 2022

CORAM: Sanjay Kumar, Chairperson
I.M. Bohari, Member
Mukesh Khullar, Member

Case No. 25 of 2022

Case of Shri. Govindrao Prithviraj Potdar for execution of the CGRF Kolhapur's Order dated 28 January, 2019 and the Commission's Order dated 22 August, 2019 in Case No. 144 of 2019.

Shri. Govindrao Prithviraj Potdar : Petitioner

Maharashtra State Electricity Distribution Co. Ltd. : Respondent

Appearance

For the Petitioner: Shri. Deepak Bagevadikar (Representative)

For the Respondent: Adv. Abhishek Khare

Daily Order

1. Heard the representative of the Petitioner and Advocate for the Respondent.
2. Petitioner states that MSEDCL has not complied with the CGRF Kolhapur's Order dated 28 January, 2019 and also the Commission's Order dated 22 August, 2019 has remained unattended and MSEDCL is continuously showing the arrears on the Petitioner even after the Commission's Order dated 22 August, 2019. MSEDCL states that it has refunded the amount after adjustment of units as per the CGRF Order 28 January, 2019 and an Appeal before the Hon'ble Bombay High Court vide Civil Writ Petition No. 8450 of 2019 filed against said CGRF Order is still pending, still, MSEDCL has complied with the CGRF Order. MSEDCL has also stated that the Petitioner has approached the District Consumer Forum, Kolhapur contesting the same issues, but the same has not yet been decided. Petitioner vehemently denies that there is any such proceeding filed by him.
3. The Commission vide Order dated 22 August, 2019 had directed MSEDCL to fully comply with CGRF Kolhapur's Order dated 28 January, 2019 in its letter and spirit.

MSEDCL insists that it has complied with the said CGRF Order. The Petitioner is contending otherwise and claiming that MSEDCL is not entertaining the Petitioner to get clarification on the MSEDCL's calculation. As issue involved is that the Petitioner is not agreeing with MSEDCL's computation, the Commission feels that in the spirit of compliance, MSEDCL should engage with the Petitioner and justify their calculations of bill adjustment within two weeks.

4. Submission shall be made to the Commission by both the Parties stating their respective position if the dispute persists despite this reconciliatory action. Factual position as regards pending parallel proceeding before District Consumer Forum needs to be ascertained and included in their respective submissions by MSEDCL as well as Petitioner. The Commission will in that situation adjudicate on the different approaches taken by the parties after hearing them on their respective position. Case is adjourned for the submission of parties.
5. In the event the parties are in disagreement on the calculations, subject to their submissions, the Secretariat will notify the further date of hearing if necessary.

Sd/-
(Mukesh Khullar)
Member

Sd/-
(I.M.Bohari)
Member

Sd/-
(Sanjay Kumar)
Chairperson