

		Date	Month	Year
1	Date of Receipt	09	10	2025
2	Date of Registration	14	10	2025
3	Decided on	04	11	2025
4	Duration of proceeding	21 days		
5	Delay, if any.	---		

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
B.E.S. & T. UNDERTAKING

(Constituted under section 42(5) of the Electricity Act 2003)

Ground Floor, Multistoried Annex Building,
BEST's Colaba Depot
Colaba, Mumbai - 400 001
Telephone No. 22799528

Grievance No.R-GN-515-2025 dtd.28/10/2025

Abdul Dayyan Abdul Rehman Shaikh (Review Applicant / Petitioner in original
grievance Application No. GN-515-2025)

V/S

B.E.S. & T. Undertaking Respondent

Present Coram : Hon'ble Chairman (CGRF) : Mr. M.S. Gupta
Hon'ble Independent Member : Mrs. A. A. Acharekar
Hon'ble Technical Member : Mr. J.W. Chavan

On behalf of the Review Applicant Petitioner : Abdul Dayyan Abdul Rehman Shaikh
(Absent)

On behalf of the Respondent : BES&T Undertaking

1. Mr.J.L. Pawar, DECCGN, Customer Care 'GN' Ward
2. Mr. Ratnakar Kamble, SCCGN, Customer Care 'GN' Ward
3. Mr. A.B. Shinde, SCCGN
4. Mr. Tufail Ahmed Fareed Ahmed Shaikh, Sub. Engr. (P)
5. Mrs. Kavita Popere, AAMCC(GN)
6. Mr. S.S. Malche, AAMCC(GN)
7. Mr. Suhas Tambe, AAOCC(GN)

Date of Hearing : 28/10/2025

Date of Order : 04/11/2025



Judgment

- 1.0 This is a review application under Clause 10.0 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020. This review application is filed by Abdul Dayyan Abdul Rehman Shaikh aggrieved by the non-compliance of CGRF Order dated 30.06.2025 by the Respondent, thereby demanding compensation from the Respondent for deliberate delay and persistent non-compliance. This is in continuation of the grievance application No. GN-515-2025 in respect of Consumer No. 764-377-043 (New) / 764-377-071 (Old), whereby an Order was passed by the CGRF dated 30.06.2025 wherein it was mentioned that the Petitioner is at liberty to approach this Forum again in case compliance is not asserted by the Respondent within time mentioned as above.
- 2.0 By the aforesaid Order dtd. 30/06/2025, the Forum (CGRF BEST) has partly allowed the grievance of the present Review Applicant (Original Petitioner/Consumer). The operative part of the said Order dtd. 30/06/2025 is quoted as under :
- a) *The Grievance No. GN-515-2025 dtd. 05/05/2025 is partly allowed.*
- b) *The Respondent is directed to refund the entire sum of ₹3,27,070/- (Rupees Three Lakhs Twenty-Seven Thousand Seventy only), being the arrears paid by the Petitioner after deducting the electricity consumption charges as has been observed by us in the aforesaid paragraph No. 7.3. A report of compliance shall be submitted before the Forum within the aforesaid period. The Petitioner is at liberty to approach this Forum again in case compliance is not asserted by the Respondent within time mentioned as above.*
- c) *Copies of this order be given to all the concerned parties.*
- 2.1 At para 7.3 of the Order, the scheduled period of compliance was mentioned as below:
- 7.3 Worthname to note that the Petitioner has not produced any document showing that he has paid all the electricity consumption charges till the date of fire incident. Eventually, while assessing the rival contentions of both the parties, it is crucial to give equitable consideration to both of them regardless of their actual claim. Hence, notwithstanding any other claims or defenses, the Petitioner shall remain liable for all outstanding charges accrued up to the date of the fire incident, as determined by the consumption recorded on Meter No. E857614. As such, within fifteen days of receipt of this order, the Respondent shall workout the same and deduct the said amount from the amount already paid by the Petitioner and refund the remaining to Petitioner within two months therefrom.
- 3.0 Hereinafter the Review-Applicant shall be referred to as "Petitioner/Consumer" and the present Respondent shall be referred to as "Respondent" for the sake of convenience in understanding the nomenclature of the parties to the present review application with reference to their nomenclature in the original proceeding of the grievance no. GN-515-2025.
- 4.0 The directives under clause 10.0 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020



allows the Consumer as well as the Distribution Licensee in case aggrieved by an Order of the Forum to apply for a review of such Order within thirty (30) days of the date of the Order to the said Forum under the following circumstances;

- a) Where no appeal or Representation has been preferred;
- b) On account of some mistake or error apparent from the face of the record;
- c) Upon the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed.

Therefore, under the directives of the clause 10.0 (a) the case is admitted under Review application from the Petitioner.

5.0 The instant review application is in respect of the non-compliance of CGRF Order dated 30.06.2025 by the Petitioner having A/c. No. 764-377-043, installed at 150, Shethwadi, Murgan Chawl, 60 ft. Road, Dharavi, Mumbai - 400017 (herein after mentioned as 'the said premises').

5.1 The original Grievance No. GN-515-2025 was registered in CGRF on 05.05.2025. The Petitioner during the course of submission stated that following a major fire incident in 2004, the entire premises including the godown was completely incinerated. Due to exceptional personal and medical circumstances, no attention was paid to electricity bill payments between 2004 to 2007. On 25.01.2007, the Petitioner submitted a written request to the Respondent for reinstallation of the electricity meter No. E857614. As per the ledger authenticated by the Respondents Office on 05.12.2023, it is observed that an abrupt increase of Rs. 25,072.84 was recorded against A/c No. 764-377-071 on 01.04.2007, corresponding to Meter No. E857614. The Petitioner contended that during physical inspection by the Respondent, his aforesaid meter was found connected to another Consumer, Mr. Mohd. Ashraf Qureshi. The Respondent admitted this fact and stated that during investigation into a high bill complaint filed by Mr. Qureshi, Meter No. E857614 was found connected to Mr. Qureshi's premises, however, subsequently a new meter was provided to Mr. Qureshi on 30.10.2007 by the Respondent, when the disputed meter was again reportedly found missing from the said meter cabin. The ledger reflects that 5780 units were charged to A/c. No. 764-377-071 between April to September 2007. From October 2007 to August 2013, 'zero' units consumption was recorded but the bill amount rose to Rs. 85,454.71 due to delayed payment charges and interest. The written complaints by the Petitioner during the above period were not responded to by the Respondent. A Police complaint was lodged by the Petitioner on insistence by the Respondent, which was delayed due to confusion of burnt meter or missing complaint of the meter. The disputed meter was again found in another meter cabin No. 764-373 on 12.09.2014 in an idle position. The Respondent did not reinstated the disputed meter in favour of the Petitioner, even though it was located on 2 occasions, yet they continued to bill the Petitioner under A/c. No. 764-377-071, eventually raising demand totaling to Rs. 6,31,041.78 upto its removal in 2016. Only upon payment of Rs. 3,27,070/- under Amnesty Scheme 2024 from the Respondent, a new meter No. 3255272 was installed by the Respondent on 06.11.2024. In this situation, various statutory obligations were unmet by the Respondent under MERC (Supply Code Regulations 2021 & Electricity Act, 2003). Vide CGRF Order dated 30.06.2025, the Respondent was directed to work out outstanding charges accrued upto



the date of fire incident liable to be paid by the Petitioner within 15 days of receipt of the Order and refund the balance amount from the amount already paid by the Petitioner (Rs. 3,27,070/-) within two months therefrom. It was also directed to submit Compliance Report to the Forum within aforesaid period. It was also mentioned in the Order that the Petitioner is at liberty to approach the Forum again in case compliance is not asserted by the Respondent within time mentioned as above.

- 5.2 The Petitioner has filed a Review Application with the Forum as the Respondent has failed to comply within the stipulated time. The Petitioner has claimed that the refund has been delayed and it was initially credited to the old closed account of Ziyauulla Lochan (Consumer No. 764-377-071). The Petitioner has stated that he has faced mental harassment, bureaucratic delays & contradictory statements from the officials of the Respondent. He has sought a compensation of Rs. 2,84,000/- under Clause No. 24.2 of MERC SOP Regulations, 2021. He has also filed an RTI, complaint on the Aaple Sarkar Portal of the Government of Maharashtra and on CGRF web portal. The Petitioner has continuously followed up the matter with the Respondent & the CGRF Secretary Office regularly during the scheduled period of compliance, after date of issue of CGRF Order. Inter alia, allegations for deliberate delay and non-compliance by the Respondent, the Petitioner has also raised objection for closing temporary complaint on the web portal abruptly before the resolution of compliance by the Secretary CGRF, alongwith objection for insufficient time period allowed for submission of the rejoinder in case of review application.
- 5.3 The Petitioner has prayed to order immediate refund of Rs. 3,27,070/- with interest if deemed appropriate, due to the Respondents failure to comply within the mandated period. Also, to grant a compensation of Rs. 2,84,000/- in accordance with the Clause 25 of the MERC Regulations, 2021 for deliberate delay and persistent non-compliance by the Respondent, to formally acknowledge & record the sustained gross negligence and harassment.
- 6.0 The Respondent has submitted that the refund process has been completed in 58 days (within 60 days CGRF deadline). The delay beyond that was attributed to the Consumers delay in submitting documents. The refund was eventually transferred to Abdul Dayyan's A/c. No. 764-377-043 on 14.10.2025 with due refundable amount of Rs. 3,26,202.63. The Respondent argues that no deliberate delay or harassment has occurred and request dismissal of the complaint.
- 7.0 From the submissions of the Review Applicant, following points arise for our determination with findings thereon for the reasons to follow :

Sr. No.	Points for determination	Findings
1	Whether the Petitioner is liable for payment of Rs. 3,27,070/- as per Order dtd. 30/06/2025 by Demand Draft or Cheque payment ?	Affirmative
2	Whether the Petitioner is eligible for compensation ?	As per final Order.



REASONS

- 8.0 We have heard the arguments advanced by both parties and their representatives and have carefully perused the documents submitted in this matter.
- 8.1 Refund of Rs. 3,26,202.63 was processed and transferred to the correct account. Internal Audit and Debit-Credit Adjustment were documented. Communication with CGRF & Consumer was maintained, albeit delayed. CGRF Order required refund by 23.09.2025, actual transfer occurred on 14.10.2025, 21 days late. Refund was first credited to Ziyaula Lochan's account, not Petitioner's account. Officials gave conflicting information about refund eligibility and process. Also claimed that refund could only be issued to Ziyaula Lochan's account. Consumer faced repeated visits, dismissing behavior and lack of clarity. Medical records show psychiatric treatment due to stress. No clear timeline or accountability for Audit delays, lack of proactive communication with the Consumer is observed.
- 8.2 Regulation 25.2 para #6 of the MERC SOP Regulations, 2021 states as under :

Provided further that the affected person/Consumer who have paid the bills, though not within due date but with delayed payment charges, in last One (1) year or in cases where supply has been provided for a shorter period, such shorter period shall be considered and there is no outstanding amount to be paid to the licensee except for current bill which is not due, such affected person/Consumer who seeks to claim compensation shall file his claim with such a Distribution Licensee within a maximum period of Sixty (60) days from the time such a person is affected by such failure of the Distribution Licensee to meet the Standards of Performance and such affected person/Consumer shall only be entitled for Compensation of half the amount specified in Annexure 'II'.

The Petitioner therefore is not eligible for compensation of the previous period prior to Sixty days from the demand of compensation. Also, after installation of meter in November 2024 for A/c. No. 764-377-043, Consumer has not paid bills in the month of February 2025 & April 2025 to June 2025. The Petitioner is entitled for the compensation under the above Clause, but for the period of non compliance of 21 days only (Rs. 250/2 = Rs. 125 x 21 days = Rs. 2625/- only), from 24.09.2025 to 14.10.2025.

- 8.3 Incidentally, the Petitioner has expressed in the supporting documents with the complaint about his agitation over the non-response from the Secretary CGRF by addressing a letter to Nodal Officer, BEST, that his temporary complaint on CGRF web portal was hurriedly closed by her without any intimation or consent of the Petitioner. Actually, the Petitioner was continuously following up the matter with the Ward and with the Secretary office of the CGRF from the date of issue of Order. Accordingly, it is observed that the Secretary, CGRF was also taking cognizance of the matter and following up the matter with the Respondent. Emails for the same have been forwarded from the Secretary CGRF to the Respondent on 16th, 17th & 19th September, 2025 for demanding compliance. An affirmative reply was received from the Respondent on 29.09.2025, which was intimated by her to the Petitioner and the temporary complaint



was closed thereafter. The follow up for the compliance and resolution in the matter was in process from the office of the Secretary CGRF. However, it is observed that the Petitioner was impatient and passed unnecessary remarks in his above said letter addressed to Nodal Officer related to Secretary CGRF. The Forum did not found any substance in the complaint, as the Secretary CGRF has dealt with the matter appropriately.

- 8.4 Regulation 25.2 para #7 of the MERC SOP Regulations, 2021 states as under :

Provided further that the Distribution Licensee shall compensate the affected person(s), within a maximum period of Ninety (90) days from the date of filing his claim from the previous months billing cycle and the payment of such compensation shall be paid or adjusted in the Consumer's future bills.

- 9.0 In this view of the matter the point no. (1) is answered in Affirmative and we pass following order as answer to point no.2.

ORDER

1. The Grievance No. R-GN-515-2025 dtd.28/10/2025 (Review Application) is partly allowed.
2. The Forum acknowledges that the Respondent has refunded Rs. 3,26,202.63 to the Petitioner's correct account (A/c No. 764-377-043) on 14.10.2025, which was 21 days beyond the stipulated compliance deadline of 23.09.2025, as per CGRF Order dated 30.06.2025. The Forum finds that the delay in refund and the initial miscrediting of the refund amount to a closed account (Consumer No. 764-377-071) constitutes non-compliance and procedural lapse on the part of the Respondent. The Respondent is directed to ensure that the refund amount of Rs. 3,26,202.63 is credited to the Petitioner's Bank Account or issued by Demand Draft or Cheque within 10 working days from the date of this Order, if not already done and the Respondent is directed to submit a formal written apology to the Forum for the delay in compliance with its order and harassment caused to the Petitioner.
3. In accordance with Clause 25.2 of the MERC SOP Regulations, 2021 the Petitioner is entitled to compensation for the 21 days delay in compliance. The compensation is calculated as Rs. 125/- per day x 21 days = Rs. 2,625/-.
4. The Respondent is directed to :
 - i) Pay Rs. 2,625/- to the Petitioner as compensation for the delay in refund.
 - ii) Ensure that such lapse in refund processing and communication are not repeated.
 - iii) Submit a compliance report to the Forum within 15 days from the date of receipt of this Order.
5. The Forum does not find sufficient grounds to award the full compensation of Rs.2,84,000/- as claimed by the Petitioner, due to non fulfillment of eligibility criteria under the MERC SOP Regulations, 2021.



6. The Forum hereby warns the Respondent that any future non-compliance with the CGRF Orders shall attract penal consequences under MERC Regulations and the Electricity Act.
7. The Forum reiterates its commitment to uphold Consumer Rights and ensure accountability of the Distribution Licensee.
8. Copies of this order be given to all the concerned parties.



(Mr. Jitendra W. Chavan)
Technical Member



(Mrs. Anagha A. Acharekar)
Independent Member



(Mr. Mahesh S. Gupta)
Chairman

