

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

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

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

Representation No N -385-2019 dtd. 04/07/2019

Director Principle L.N. Welingkar Inst.Complainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Shri K. Pavithran, Member

On behalf of the Respondent : 1. Smt. S.S. Darne
2. Smt. T.Y. Rege

On behalf of the Complainant : Shri Rajesh Navadkar
Shri Mukund Mahale
Shri Vijay kamanna

Date of Hearing : 08/07/2019

Date of Order : 08/07/2019

Interim Order by Shri. Vinayak G. Indrale, Chairman

The Director, Prin. L. N.Welingkar Inst. of Management Development & Research, Lakhamsi Nappu Road, Next R A Podar College, Matunga, Mumbai - 400 019 has come before the Forum for interim relief under Regulation 8.3 of MERC (CGRF & EO) Regulation, 2006 against disconnection notice issued by BEST Undertaking by disputing recovery of Electricity Duty.

- 1.0 We have heard the arguments of the complainant and for the Respondent BEST Undertaking Smt. S.A. Darne and Smt. T.Y. Rege.
- 2.0 After hearing the submission of both the parties, it appears that dispute is in respect of charging of Electricity Duty on Charitable Institutions and other local bodies. The representative of the complainant has submitted that the Hon'ble Bombay High Court in W.P. 2961 of 2018 has passed the order and stayed the charging of the Electricity Duty imposed on the Charitable Institutions and other local bodies. We have cautiously gone through said judgment and *prima-facie* it supports the submission made by the complainant.
- 3.0 The Respondent BEST Undertaking has filed say to the interim relief claimed by the complainant. The copy of the say of the Respondent BEST Undertaking is given to the complainant today only. The complainant requested to give time to go through the say and argue the matter finally on interim application. Considering all these circumstances we think it just and proper to stay the notice of disconnection and the recovery amount i.e. recovery of Electricity Duty as claimed by the Respondent BEST Undertaking vide electricity bill for the month of June 2019 till next date i.e. final disposal of interim application.
- 4.0 The Respondent BEST Undertaking is hereby directed to accept the payment of regular electricity bill as claimed in the electricity bill for the month of July 2019 and thereafter.
- 5.0 The hearing of application is scheduled on 25/07/2019 at 14.30 hrs.

Sd/
(Shri K. Pavithran)
Member

sd/-
(Shri V.G. Indrale)
Chairman