

(A Govt. of Maharashtra Undertaking)

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Consumer Grievance Redressal Forum

“Vidyut Bhavan”, Gr. Floor,

L.B.S.Marg,Bhandup (W),

Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/133/91

Date: 19.06.2017

Case No. 03/2017

Hearing DT 09/05/2017

In the matter of exorbitant accumulated consumption bill and report of replace meter

Mrs. Shobha Suresh Parde

Bhartiraj CHS Flat No 302

Near Sayla Bunglow ,Manish Nagar

Thane 400605

- **Applicant**

Vs.

M.S.E.D.C.Ltd., Kalwa Sub Division

- **Respondent**

Present during the hearing

A - On behalf of CGRF, Bhandup

1) Shri. Anil P. Bhavthankar, Chairperson, CGRF, Bhandup.

2) Shri. R.S.Avhad, Member Secretary, CGRF, Bhandup.

3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

Mr. Jaganath Kamath - Consumer Representative

C - On behalf of Respondent

Shri. Mangesh Rajge

Consumer No. 000020343826 01LT I residential single phase CL- 2.20KW SL- 2.20KW date of connection 01/01/1960 complaint about accumulated consumption bill

1. Above named consumer filed this complaint against this respondent utility alleging that the consumer received the bill in the month of Feb. 2016 for amounting Rs. 48,370/- for the period April 14 to Feb.2016 for 23 months. Consumer received average bill for 50 unit per month showing display status no reading .Consumer paid amount of Rs. 20000/- towards part payment the meter was replace on 21.02.2016.On 29.03.2016.

Consumer filed application before Addl. Executive Engineer, MSEDCL, and demanding bifurcation of bill and also applied for testing of old meter. Consumer received the meter testing report showing the old meter is found 'OK'. Consumer thereafter paid amounting of Rs. 13,500/- on 30.06.2016 after receiving the notice of disconnection. Consumer prays that respondent utility require to issue revise bill on average consumption 151 units per month for 23 months. Initially consumer raised this dispute before IGRC thereafter IGRC registered case No.1497/2016. On dated 25.01.2017 opportunity of the hearing was given to the consumer and his representative and on 31.03.2017 IGRC gave the order directing consumer the report of the meter was found 'OK' the bill issued to the consumer was correct and the bill cannot be revise. IGRC also mention that all photograph of energy meter was taken during accumulation period of actual consumption was use by consumer and detail enquiry was made but no bill issued to the consumer showing actual meter reading .IGRC directed to take suitable action against the concern officer not feeding replacement meter report for long period.

2. Being aggrieved by the said judgment and order of IGRC this consumer approach to the Forum and filed grievance in Schedule 'A'. After filing the said grievance the case is registered vide case No. 03/2017 ad notice was issued to the respondent utility. Consumers pray that issuing of revise bill till Feb. 2015 and bifurcation of bill challenging actual consumption claim in 23 months giving benefit. Consumer also challenge the bill issued by respondent utility and he entitled to give benefit of bifurcation of unit and slab benefit for 23 months period. Consumer filed copy of his complaint in IGRC bill issued to the consumer, receipt of part amounting paid on 20.02.2016, copy of order judgment by IGRC 21.09.2017, copy of CPL. After receiving the notice respondent utility appeared and filed reply on 06.05.2017. Respondent utility submitted that the consumer Mrs. Shobha Suresh Parde received average bill between April 14 to Jan.16. Thereafter the meter was change in the month of February 16 bearing meter No.1492837. Thereafter consumer was charge for actual consumption unit 23 months during the period April 2014 to Jan. 2016 by deducting average consumption 50 units bill issued to the consumer between this period. Respondent utility further submitted by old meter 1492837 was sent for testing divisional office. The meter was tested on 29.03.2016 and the report was found meter is 'OK' again in the month of March 2016 the meter was change and the reading of

2016 March to 2017 April 3214909 for reading was found the meter was check bearing No. 3214909 on 23.01.2017 by accu-check even the said meter was found 'OK' As per no fault or error found in meter testing report and therefore bill issued to the consumer is proper liable to be paid out of which respondent utility submitted that part amount Rs.20,000/- was paid by consumer. Respondent utility filed all meter testing report old and new dated 19.03.2016 and 23.01.2017. Respondent utility submitted that there is no substance in the grievance of consumer hence complaint liable to be dismiss with cost.

3. After perusing the rival contention of consumer and respondent utility following point arose to our consideration to which I have recorded my finding to the point further reason given below
 - a) Whether accumulated bill issued to the consumer by utility for amounting Rs. 48,500/- is legal valid and proper.
 - b) Whether consumer is entitled for slab benefit between the period of 23 months.
 - c) Whether consumer is entitled for any relief.

Reasoning

4. I have given opportunity to consumer and his representative also gave opportunity to respondent utility Nodal officer Executive Engineer. During the course of hearing the bifurcation of accumulated bill details was call for the period of 23 months. It appears from the dispute that consumer not raised any grievance when bill was receiving average consumption 50 units per month bill for sufficient longer period of 23 months. Consumer only challenge the accumulated bill issued to the bill after meter testing report was found 'OK' and thereafter only he made grievance by filing application to Addl. Executive. Engineer , Kalwa Sub Division. The altitude of the consumer was not fair when he was well aware he was not using 50 units per month the bill which he was received. Consumer never made any complaint of receiving average consumption of 50 units bill received to him for longer period and consumer remain silent. His silent is recessive and when accumulated bill charge by respondent utility for amounting Rs.48,370/-. The respondent utility official calculated average consumption of unit placing reliance of actual photographer meter was verified. The monthly consumption pattern was verified by respondent utility office which calculated 350 units per month for amounting Rs. 2103/-. The said unit was charge together in bill amounting Rs.

48370/- the deduction of 50 units per month payment was already made by the respondent utility official.

5. It is pertaining to note that consumer paid amounting Rs.20,000/- vide receipt No.7398915 dated. 20.02.2016. To my view accumulated bill issued to the consumer by respondent utility in one month calculating 23 months consumption together is not proper due to which consumer could not received slab benefit and therefore the bifurcation of unit as directed by IGRC is right of consumer. The limitation for recovery of arrears available to respondent utility official for recovery is 24 months. There the dispute calculated since April 2014 to Feb. 2014 was disputed period fix 23 months and the actual consumption recorded and found on meter is verified even by this Forum. Its appears form the technical expert meter testing report was found 'OK' even though consumer challenge the report of both the meter which was replace at two occasion. Considering the said grievance the bifurcation of bill unit slab given 100 units to 300 and bill is charge after bifurcation which was calculated by respondent utility official and place before this Forum. As per monitory calculation was considered by Forum during hearing therefore calculation of 48370/- rupees the amount already paid by consumer on 20.02.2016 & 3.06.2016 as such no actual recovery is found recoverable against this consumer even the benefit of 23 months bifurcation considered average consumption patter already recorded 350 per months and deduction of 50 units per month already by the consumer is already effected. Hence the grievance raised by the consumer became ground less as such consumer is not entitled for any relief so far as direction given by IGRC to take strict action against the erring officer who not made feeding of replacement report for longer time Forum directed to take suitable action according with regulation against erring officer. Rest relief claim by the consumer does not exist. Hence I have no other option to proceed with the order for dismissal of complaint Hence I proceed to pass following order.

ORDER

The consumer complaint 03/2017 is stands dismissed.

No order as to the cost.

Both the parties should be informed accordingly.

Proceeding close.

The compliance should be reported within 45 days.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

Note:

- 1) If Consumer is not satisfied with the decision, he may file representation within 60 days from the date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

**The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051**

- 2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

(I Agree/Disagree)

(I Agree/Disagree)

**DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP**

**ANIL P. BHAVTHANKAR
CHAIRPERSON
CGRF, BHANDUP**

**RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP**

