

(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.

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REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/131/106

Date: 11.07.2017

Case No. 131/2017

Hearing DT 09/05/2017

**In the matter exorbitant and excessive bill issued to the consumer in Feb.2015**

**Mr. Pankaj Ganatra**

**2-Koteshwar Apt,R.h.b Road,**

**Mulund west, Mumbai-400080**

**- Applicant**

**Vs.**

**M.S.E.D.C.Ltd., Survoday 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. Jadhav, Addl. Executive Engineer, Sarvoday Sub-Division.

**Consumer No. 000094162378 category 04 LT I Residential single phase Sanction load-0.5KW**

**date of connection 01.01.1987**

1. Above named consumer received bill in the month of Feb.2015 and November 2015 amounting Rs. 1,42,650/-. According to consumer the bill issued by respondent utility is exorbitant and excessive the consumption during the period Feb. 2015 to November 2015 no accurate meter reading unit use by the consumer was given. Therefore he made complaint to the respondent utility on 21.08.2015 and also change of meter without informing the consumer. Consumer raised

grievance against respondent utility for approach towards demanding excessive bill and also demanded action against erring officer. Consumer requested to change of meter and also made request for laboratory inspection before respondent utility. Initially consumer raised the dispute before IGRC vide case No. 58/2017 was registered. IGRC gave notice to the consumer for hearing on 21.10.2016 in the month IGRC not gave any finding. Therefore consumer approach to this Forum and filed complaint before this Forum on 07.02.2017 in schedule 'A' form. Consumer requested to grant relief of set aside the exorbitant bill issued him copy of CPL and reading recorded 82144 was exorbitant and manipulated suspecting his involvement in scam case as utility cause him unnecessary harassment of demanding excessive bill.

2. After filing the complaint of 05.02.2017 notice was issued to the respondent utility by this office on dated 14.02.2017. After receiving the notice respondent utility appeared and filed reply on 08.03.2017. Respondent utility submitted that consumer M/s. Pankaj Ganatra (Gaiytri Construction) having consumer No. 000094162378 meter No. 01301684 using the power supply for residential purpose sanctioned load was 0.5KW final reading recorded on meter in Feb. 2015 6209 and the consumer was charged only for 206 unit. After spot inspection report received by section officer on 10.02.2015 the reading on meter was found 17286 the said reading was recorded correctly and consumer report is signed by consumer verify and agree to pay by same. On the said premises connecting load was 7.3KW include 6 Tube light , 4 Fan , 1 fridge, gas gezzet-2, 1 TV , 1 washing machine, A/c- 4 and 10 Lamp.
3. In the month of March 2015 the consumer was billed for 1139 unit which was actually recorded on the said meter. Therefore the bill was issued to the consumer March 2015 amounting Rs. 1,42,652/- against the said demand bill consumer paid amounting of Rs. 1,00,000/- against the said bill .This consumer was detected involved in photo edit scam against which FIR was logged No.94/2015 on 24.02.2015 under section 420,465,467,468,470,471,34. The respondent utility gave details of actual consumption of supply and recorded unit and also verified average consumption during Feb. 13 to Feb. 2015, April 2015 to June 2015 Sept

2015 to Jan 2017 average consumption actual unit recorded on the meter was also informed which are as follows mention in the table

Period	Total Billed units	Avg. Consumption/per month	Remark
Feb.2013 to Feb. 2015	4192	182	Normal before photo edit scam
Mar 2015	11339	-	Found in photo edit scam
April 2015 to June	1541	513	Normal
August 2015	514	-	Consumer requested for meter replacement.
September 15 to Jan. 17	4345	434	Normal

4. Respondent utility submitted that office gave credit pass preparing B-80 for amounting Rs. 26,255/- for 24 months slab benefit was given and amount was deducted from demand bill. However remaining amount claim in the said bill is proper. respondent utility file copy of CPL, copy of accu-check meter report dated 10.02.2015, copy of B-80 29.01.2016 and submitted that the bill issued to the consumer was verified found proper consumer is liable pay the same according to demand. The meter was replace under the intimation to the consumer and the meter was tested and report is given to the consumer. This consumer wants to take benefit those he involve in photo scam case and continues to raise the dispute against the respondent utility challenging exorbitant bill unnecessary. The consumer also made grievance of receiving average bill and made complaint of slowness of meter between 2 months and taking advantage of challenging the test report by raising incorrect dispute. Therefore the consumer complaint is wrong misleading no cause of action against this utility. Hence liable to be dismiss.

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

- I. Whether respondent utility is entitled to receive the bill issued earlier in Feb. 2015 for amounting Rs. 1,42,652/- and again in the month of November issued the bill of unit recorded of actual consumption is legal valid and proper.

- II. Whether consumer is entitled for refund of Rs. 1,42,650/- from respondent utility.
- III. Whether consumer was entitled for any other relief.
- IV. What order?

### **Reasoning**

5. I have given opportunity to consumer and his representative who appears before this Forum on the date of hearing. I have perused all the document filed by consumer and gone through the dispute minutely. It appears that consumer challenge the billed issued to him in March 2015 of amounting Rs.1,42,650/- out of which consumer already deposited amount of Rs. 1,00,000/- which is duly acknowledge receipt by the utility. The remaining amounting was not paid consumer challenge the said bill on raising the dispute of faulty and defective meter .On 10.02.2015 the accu-check meter report and the spot inspection was made the meter was replace on the instance of consumer and it was tested in the laboratory of the respondent utility official . It appears that respondent utility already gave slab benefit and B-80 was prepared on 19.01.2016 for amounting Rs. 26,405/- and the revised bill was split April 2015 to March 2015 as per actual meter recorded unit shown on the meter.
6. I have gone through the chart given by respondent utility of actual consumption was recorded on the meter which are as under Feb.2013 to Feb. 2015 4192 unit , March 2015 11339 unit, April 2015 to June 2015 1541 unit, August 514 unit, September 2015 to Jan. 2017 4345 unit and average consumption actual recorded on the meter was during the period 182,513 and 434 unit which was shown normal unit consumption actual use by this consumer.The connecting load as mention by the respondent utility also verified the copy of CPL disclose for the relevant period provided by the respondent utility actual consumption recorded on the meter for which copy of photograph of the meter provided by the respondent utility and also actual bill produce by the consumer was also verified by the technical member. The reading found on the photograph at the relevant period the actual consumption as per reading of photograph taken on the meter period by was tallied and average consumption recorded on the meter the bill was charge by the respondent utility against this consumer. The grievance raised by exorbitant

and excessive bill no sporting evidence or the prami -faice case is made out by the consumer. Only the issued was splinting of the bill giving slab benefit the proportionate amount is already reduced for the demand bill and revise bill B-80 was prepared by utility. But the consumer continued to raise the dispute unnecessarily alleging exorbitant bill which is already paid by the consumer in Feb. 2015 .On subsequent event this consumer on the base of document or not pointed out any reason to verify or revise the demand bill issued by the respondent utility to consumer between this period, the last demand bill issued to the consumer was also payable by the consumer and the respondent utility entitled to receive the same. In this case no reason for refund of any amount from respondent utility payable to the consumer was found as no error in meter reading report came forward and therefore grievance became in fluctuate at the time of hearing I found the consumer and the representative was not happy with the conversation and continued said dispute but prima-facie not case is made out by the consumer to make interference. The bill issued to the consumer is legal valid and proper. I found there is no substance in granting any relief to the consume was found when the bill is already paid and deposited partly. Hence I come to conclusion consumer is liable to pay remaining bill as demanded by utility in 3 equal installment along with current bill. Hence the consumer complaint is liable to be dismissed with cost. I proceed to pass following order.

### **ORDER**

The consumer complaint 131/2017 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, and 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**