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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/06/153

Date: 20.09.2017

Case No. 06/2017

Hearing DT 08.08.2017

In the matter exorbitant recovery of bill February 2015

Mr. Umesh M Karia

Vardhman Nagar Bldg H/103

Dr R P RD Mulund (W)

Mulund 400080

- Applicant

Vs.

M.S.E.D.C.Ltd., Pachrasta 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. S.S.kuril Addl. Executive Engineer, Pachrasta Sub Division.

Consumer No. 000093035267 category LT I residential single phase Connection Load – 0.50KW

Sanctioned Load - 0.50KW date of connection 01.01.1987

1. Above named consumer filed this complaint against respondent utility for refund of excess bill charge accumulated unit in Feb.2015 and June 2015 and revised of bill accumulated issued to the consumer for amounting Rs.66480/- and pray for refund of excess amount. Initially this consumer made complaint to respondent utility office stating that in the month of Feb.2015 he received access bill for amounting Rs.66480/- which is challenge by the consumer stating that his monthly

consumption is about 300-500 unit per month. However the bill received is exorbitant the respondent utility also charge consistently exorbitant bill for subsequent month till June 2015. Consumer prays for refund of excess bill along with interest. Consumer attached spot inspection report, copy of bill for the month Feb.2015 and May and June 2015. After receiving the said complaint IGRC registered the case. But it was not decided within the period of 2 months. Therefore this consumer approach to the Forum on 18.04.2017 and filed this complaint in Schedule 'A' requested for revise of excess bill in the month of Feb.2015 of amounting Rs. 66480/- and pray for refund of excess amount consumer also pray for inspection of meter on laboratory testing . Consumer attached old bill of Feb.2015, May & June 2015 and pledge his dispute. Therefore after notice was issued to the respondent utility. After receiving the notice respondent utility appeared and filed this reply on 08.05.2017. Respondent utility submitted that above said consumer having old meter 15495995 is meter reading shown in Jan. 2015 9509 photo copy was attached in the month of Feb. 2015 meter reading was shown 14547 copy of the bill enclosed. Therefore consumer was charge of actual meter recording of the meter and issue bill 66480/-. Consumer paid the said bill on 13.03.2015 under protest. In photo edit scam case registered the Mulund Police Station FIR 93/2015 under section 420, 465, 467, 468, 470, 471, 34 as per IPC on dtd.24.02.2015. Respondent utility gave details data of charge photo bill unit and average consumption recorded and found on the meter which was previously installed. Since august 2011 in bifurcation of year August 2011 to Jan.2015, March 2015 to May 2015 June 15 to Jan.17, Feb.17 to April 2017. Respondent utility also attached copy of spot inspection report copy of CPL, Copy of FIR and list of consumer given to Mulund Police Station. Respondent utility prayed that this consumer is involved in photo edit scam case therefore is not entitled for any benefit. Respondent utility pray for rejection of complaint.

2. 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 consumer is entitled for refund of excess bill amounting Rs. 66480/- charge in the month of Feb.2015.
 - II. Whether supplementary bill accumulated issued by the respondent utility is legal valid and proper.

III. What order?

Reasoning

3. I have given opportunity to consumer and his representative who decide the objection and claim made by the consumer it appeared from the record as per the list provided by respondent utility at serial no 135 meter no and name of consumer Suresh M. Kariya is mention. The case in photo edit scam is registered by Mulund Police Station by FIR No.93/2015 on 24.02.2015. The investigation and process in this case is pending. This consumer made grievance before respondent utility office stating that accumulated bill charge as per respondent utility bill is exorbitant and consumer pray for refund of excess amount . It is pertaining to note that series of cases involved in photo edit scam was decided previously by this Forum. Actual reading recorded by this meter was verified by respondent utility photo original of the said meter was provided to this Forum recorded 9509 unit on the meter. The bill charge after verification of the said meter access by respondent utility charging actual unit recorded 14547. Therefore bill for prepared and issued to the consumer for amounting Rs. 66480/-. It is inform that consumer paid said bill on 13.03.2015 under protest. Therefore it is duty of the consumer to point out how the consumption found recorded in the meter in laboratory testing is unjust and improper but no documentary evidence was provided by the consumer spot inspection report 12.02.2015 revealed that the meter in working status but meter which was shown in photograph is 09509 but the laboratory testing report shown display of unit recorded 14505 .According to me this unit recorded in laboratory verified as such the accumulated unit found in the month of Feb.2015 the recovery bill was issued to the consumer in subsequent the month. I don't found any illegality as technical data provided by respondent utility is free from error only for the purpose of accumulated unit recorded and shown on the meter 14547 required to be divided in equal month. Therefore I have call detail report of average consumption recorded on the meter and monthly consumption minimum of maximum used by the consumer. This consumer on and average used unit between 300-500 and consumption pattern recorded is below 500. Therefore accumulated unit 14547 required to be divided in equivalent to 14547 for the month should be charge against the consumer. As such consumer may get benefit of slab between 300-500 units and it should be reassess accordingly. The date of

error photo edits scam which was detected in the month of Feb.2015. Therefore actual consumption found 14547 should be divided in equal month. Hence consumer liable to pay actual unit found recorded on the meter 14547. The difference claim shall be adjusted in future bill. Consumer not entitles for any refund with interest any amount from respondent utility. Hence, with this direction I found no substance in consumer grievance except bifurcation of accumulated unit in equal month no other relief can be granted to the consumer in this complaint. Hence I proceed to pass following order.

ORDER

The consumer complaint 06/2017 stands dismiss.

No order as to the cost.

Respondent utility be acted as per direction given above said judgment

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**