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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/36/ 223

Date: 23.11.2017

Case No. 36 /2017

Hearing Dt. 21.11.2017

**In the matter of excessive bill and notice of disconnection received to the consumer
for amounting Rs. 26,695/-**

Mr. Gorakh lala Sarode - (Consumer)

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

Wagle Estate 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. Arun Dashrath Jadhav

– Consumer Representative

C - On behalf of Respondent

S.M.Gaikwad Addl. Executive Engineer, Wagle Estate Sub Division

Consumer No. 000011659454, Connecting Load 0.30KW date of connection

29.09.2011

1. Above named consumer is occupying the said premises as a residential purpose. The said supply is used by the consumer for residential. This consumer received bill for Sept. 17 for amounting Rs. 26695/- along with notice of disconnection issued by respondent utility on 23.09.2017. Being aggrieved by the said notice of disconnection and disputed bill the said consumer approach to the forum and filed complaint in schedule ‘A’ on 24.10.2017. Consumer submitted that from the month of April 2017 he received exorbitant rate of bill for amounting Rs. 25678/-. The

said consumer challenge the bill stating that his consumption is low and exorbitant unit consumption bill issued is wrong erroneous he is not liable to pay the said bill. Consumer also pray for not to disconnect the supply during the pendency of this dispute and pay for revise the bill as per monthly consumption without charging any interest DPC and penalty.

2. After filing the said complaint notice was issued to the respondent utility on 26.10.2017. After receiving the said notice respondent utility submitting reply on 07.11.2017 and submitted that the said consumer number receiving the bill from 29.9.2011 to December 2015 for amounting Rs 7580/- the said bill was not paid till 31.01.2016. Thereafter the action of permanent disconnection was taken against the consumer 4.03.2016 on that day consumer deposited the said bill and he supply was restored. Respondent utility submitted that after restoration of supply consumer on 04.03.2016 the feeding of reconnection online billing system was required immediately but the concern staff join in month of Feb. 2016 and due to lack of experience the feeding of disconnection online bill was not done. Thereafter in the month of Feb. 2017 to May 2017 the unit was calculated 2311 and the consumer was bill accordingly. The bill revision was taken in the month of Oct17 showing amount 28400/- which was subsequently corrected for amounting Rs.16390/- and the consumer was directed to pay the said bill correctly.
3. The respondent utility submitted that the notice was issued to the consumer but supply was not disconnected to avoid inconvenience to the consumer but the consumer thereafter requested not to disconnect the supply and requested respondent utility, MSEDCL correct the said bill of unit 2311. Accordingly the correction of the bill was given to the consumer but it was not paid being aggrieved the said reply and revision of bill. Consumer dissatisfied and filed this complaint which was wrong flavours and without any reason. Therefore consumer complaint is not tenable liable to dismiss with cost. Respondent utility attached copy of CPL since July 2015 to Oct. 2017. Respondent utility also filed copy of bill revision report 06.11.2017 for amounting Rs. 16390/-. Therefore consumer is liable to deposit the said amount Rs. 16390/- which is correct as per unit calculated actual consumption used by the consumer.

- a) After perusing rival contention of the consumer and the respondent utility following point arose for our consideration to which I have recorded my finding to the point further the reason given below
- b) Whether consumer is liable to pay the amount of Rs. 16390/- towards accumulated unit 2311 towards actual consumption use by the consumer.
- c) Whether consumer is entitled to any relief.
- d) What order?

Reasoning

1. I have given opportunity to the consumer and his representative who working as an Advocate his submission was heard Nodal officer of respondent utility was present on the date of hearing the reply is supported by the oral argument .I have perused the same it appears from the record and consumption pattern provided to the Forum the supply is used by the consumer for residential purpose. The disputed period earlier to Jan.2017 the consumer failed to deposit earlier accumulated bill for amounting Rs. 7580/- and his supply was disconnected permanently. It is observed that the supply was restored on 04.03.2016 after the amount is paid. The reason was unbilled due to failure of proper feeding online billing system by the staff concern. As the said mistake was not concern to the consumer therefore his was not billed properly the minimum consumption bill was issued and which was paid by consumer without assessment of unit then this fact come in the knowledge of respondent utility the actual consumption was access and accumulated bill issued to the consumer on oct. 2017 which was subsequently corrected as per monthly consumption pattern and already bill deposited was deducted and amount is shown payable 16390 but consumer was not agree to deposit the pay the bill which was accumulated unit and consolidated huge amount and there for he chooses to filed the dispute.
2. To my view the consumer not at his fault received the bill without assessment of actual consumption of unit. Therefore the period of dispute the actual consumption unit should have been bifurcated in equal monthly instalment. As such burden and liability should be smaller amount payable along with each

monthly bill. The consumers is justified in making the dispute and challenge the notice of threat of disconnection and filed this compliant directly to the Forum as consumer is entitled for the same. To my view when the reason of unbilled consumer not at the fault of consumer he should not burden of paying huge amount in lumsum as the consumer submitted that his retired government servant alone decided in the residential premises and his senior citizen his financial condition is poor and his unable pay the accumulated unit bill in lumsum. I found there is substance in the contention of consumer and therefore total consumption of unit 2311 should be divided in six monthly unit of consumption and payable by instalment in equal month arrears along with current bill. I am inclined to grant relief of benefit to the consumer to bifurcate the said bill in six month in equal monthly instalment and allowed the complaint and proceed to pass following order.

ORDER

1. The consumer complaint 36/2017 is allowed.
2. The respondent is entitled to recover to amount of 16390/- in equal monthly instalment along with current bill.
3. The consumer shall not liable to pay any interest, DPC and Penalty towards arrears of amount.
4. No order as to the cost.
5. The order shall be complied and reported within 30 days.

Both the parties should be informed accordingly.

Proceeding close.

The compliance should be reported within 30 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**