

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/

Date

Case No. 364

Hearing Dt. 21/02/2011

In the matter of bill dispute

Shri T.S. Deshmukh

- Appellant

V/s.

MSEDCL, Power Houder S/Dn., Thane

- Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.
- 2) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Shri R.S. Deshmukh – Occupier & Consumer representative

C - On behalf of Respondent

- 1) Shri Choudhari, Dy. Ex. Engr.(0), Thane Division.
- 2) Shri K.N. Pawar, Asstt. Accountant.

ORDER

Shri Ravindra S. Deshmukh is a occupier of premise residing at 17/5, Patil House, Tukaram Mahadik Marg, Kharkar Ali, Thane 400601, having single phase residential connection. Before Oct-2008 there was no bill dispute and all bills were regularly paid. On 24th April 2008 the electric supply of Thane city was shutdown at around 7 P.M. & restored on 8 P.M. but only his electric supply was not restored. On quarry it was learnt that the electric cable supplying to his residence was damaged in road widening and hence power supply was discontinued.

He further reiterated that on complaint for restoration of supply to utility, supply was restored with temporary arrangement of service wire on 25th April 2008 with the reason that underground cable was out of repaired.

He added that utility officials promised him to get replace the old cable shortly and will be connected the mini pillar as it was originally. The Appellant explained that due to inefficiency of utility he remain in dark for a night.

The Appellant stated that on 22/09/2008 somebody had removed temporary service wire and disconnected his electric supply which leads to theft in his house. Accordingly he lodge police complaint and with the help of police his supply was restored on 24/11/2008.

He further claimed that utility intentionally billed him on faulty status for the month of Oct-2008. This was with the revenge of his regular follow up.

Aggrieved of this the Appellant raised the issue of the prejudiced billing on faulty status in the Lokshahidin to the District Collector. On this issue utility admitted that the bill for the month of Nov-2008 was wrongly charged for 100 units under faulty status which will be corrected at earliest. But the utility passed the credit against this faulty status bill belatedly in the month of Feb-2009.

He further stated that in the month of Dec-2008, Jan-2009 and Feb-2009, utility charged him bill for 13, 39 & 0 units respectively. However, he claimed that he was not staying in the premises in the month of Dec-2008 where the utility charged him 13 units. Moreover there was list consumption in the month of Jan-2009 where the Respondent charged him arbitrarily for 39 units. However, the Appellant was using electric supply in his premises in the month of Feb-2009 but utility billed him for '0' units and shows no use of electricity which proves that the Respondent was not serious about billing the consumer as per his utilization.

He further added that his electric supply was connected with the service wire temporarily which was removed on 08/05/2008. The matter was brought to the notice of Respondent on 22/09/2008. The Respondent was failed to take the cognizance and kept him in dark till 23/11/2008. Though

he was not getting the service from utility, he was paying fixed charges regularly during this period.

In the counter arguments Shri Choudhari, Dy. Ex. Engr. (0), Thane division stated that Shri T.S. Deshmukh is the consumer of MSEDCL and Shri R.S. Deshmukh is an occupier and utilizing electricity under service no. 000013280401.

The use of the electricity in the premises is mere and consumer was billed as per his consumption. In the month of Nov-2008, the agency deputed for photo meter reading had punched with the faulty status for 100 units due to oversight. However this bill was corrected and credit of ` 310.92 is passed in Feb-2009. The utility further submitted that the consumer is billed as per reading till March 2009 and all the payment made by the consumer is credited in his bills. Hence there is no need of any rectification of bill which was explained to the Appellant time to time.

The matter was heard on 21/02/2011. Facts of the case and documents on record show that the Appellant is an occupier of the premises. As per available record, utility has billed this consumer on faulty status in Nov-2008. It has been corrected and credit was passed in Feb-2009. However the consumer was billed as per meter reading for the rest of period. As claimed by the Appellant, he was wrongly billed in the month of Dec-2008, Jan-2009 and Feb-2009 for 13, 39 & 0 units respectively though he was not residing in the premises in the month of Dec-2008 & part of Jan-2009. Forum cannot relied on Appellants say that he had not occupied the premises during

the above period as he is unable to produce any documentary evidence to prove his claim. Hence there is no ground to give any kind of relief to the Appellant. Moreover it is observed from the CPL that the meter reading are progressive during this period.

Another point of dispute remains that the fixed charges paid by the consumer for the period 22/09/2008 to 24/11/2008 when there was no electricity and the service main was removed and utility failed to reconnect the same within the prescribed time. The Forum therefore has no hesitation to waive the fixed charges for the above period as utility fails to provide the consumer service. As the Appellant had brought to the notice of utility for restoration of power supply on 22/09/2008 and also paid the fixed charges in due time, the Appellant consumer is entitled for the interest on the amount of fixed charged at the R.B.I. rate.

The Respondent is directed to carry out the order immediately and report its compliance within 30 days thereof.

No orders as to cost.

Both the parties should be informed accordingly.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 15th of March 2011.

Note :

1) In absence of Chairperson the order is issued by Member Secretary and Member of the Forum.

2) If Consumer is not satisfied with the decision, he may go in appeal within 60 days from 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.

3) If utility is not satisfied with order, it may go in appeal before the Hon. High Court within 60 days from receipt of the order.

MRS. M.P. DATAR
MEMBER
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP