

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

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

Date :

Case No. 212

Hearing Dt. 16/09/2008
& 03/10/2008

In the matter of waiver of interest on dues

M/s. Annapurna Restaurant,

- Applicant

Vs.

MSEDCL, Wagle Estate, Thane

- Opponent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri S.L. Kulkarni, Chairman, CGRF, Bhandup.
- 2) Shri S.B. Wahane, Member Secretary, CGRF, Bhandup.
- 3) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

B - On behalf of Applicant

- 1) Shri Prashant Shetty, Consumer representative.

C - On behalf of Opponent

- 1) Shri D.B. Petkar, Ex. Engr., Wagle Estate, Thane.
- 2) Shri M.A. Trimbke, Dy. Ex. Engr., Wagle Estate, Thane.

Consumer registered grievance with this Forum on 12/09/2008 vide case No. 212. He approached CGRF for interim order requesting for avoiding disconnection of electric supply for his Hotel. According to him he was issued with energy bills for 8 years at one time with oral threat of disconnection in case of failure to make payment immediately.

The matter was heard by the Forum on 16/09/2008, which was duly attended by the consumer himself as also representatives of utility.

According to the consumer, he is willing to pay the principal amount of final bill of Rs. 70,039.60, which is against the electric connection to his hotel. However, he should not be charged with the interest of amount Rs. 98,755.84 because it is utility's failure to give him energy bills from time to time from Nov-2000. He also requested to allow him to pay the said principle amount at least in two installments should be given to him since the amount is large enough.

The officials of the utility stated that the consumer is a HT consumer since Nov-2000 and were initially getting bills from sub-division. Subsequently in the same year the billing system was shifted from 04/01/2000. from sub-division to Circle Office level. In the process of this change the billing system was shifted from sub-division to circle office. Unfortunately while transferring the billing system, the sub-division failed to inform the circle office about the old arrears of bill. At the time of switch over from LT to HT the previous LT connection was permanently disconnected and hence inadvertently the old arrears of Rs. 70039/- were ignored. This was pointed out by Head Office from its arrears list and informed the Circle Office in 2008. Hence the demand for recovery was made.

Final hearing was held on 03/10/2008 utility officials submitted detail factual letter along with CPL on 30/09/2008, which confirms the above position.

The consumer argued that he is willing to pay the arrears of energy bill but interest there on for 8 years (since the year 2000) amount to Rs. 98755/- be waived. Since he was at no point at fault as can be seen that he is prompt in making payment of current bills. He agrees to pay principal amount of Rs. 70039/- and preferably wanted to grant him two installments till next month end.

Having heard both the parties and perusal of papers on record, it is evident that utility's local staff/officials failed to take cognizance of arrears since the year 2000 till the utility head office officials pointed out to them. In these circumstances the Forum fees it proper to agree to the request of the consumer for waiver of interest and to accept the principle amount to be paid by him to the utility in two equal installments till 30th Nov-2008.

Despite Forum's repeated questioning the consumer did not avail of section 56 (2)(b) of E.A. 2003 and hence agree to consumer's request as above.

ORDER

- 1) The consumer's request to recover only an amount of principle charges of energy bill since the year 2000 is agreed upon. Further his request to grant him two equal monthly installments till end of Nov-2007 is also agreed upon.
- 2) Utility's request to initiate action against erring officials to ignore the amount of arrears of interest be suitably dealt with.

The compliance of this order should be reported to the CGRF within three months from the date of receipt of this order.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 3rd of October 2008.

Note : 1) 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.

2) 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

S.L. KULKARNI
CHAIRMAN
CGRF, BHANDUP

S.B. WAHANE
MEMBER SECRETARY
CGRF, BHANDUP