



**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
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**IN THE MATTER OF GRIEVANCE NO. K/E/588/696 OF 2012-2013 OF**  
**SHRI VIJAY RAMCHANDRA DESHMUKH, BADLAPUR (WEST)**  
**REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM**  
**KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL .**

Shri Vijay Ramchandra Deshmukh  
C/o. Room No. 01  
Vishw Vihanga Co. Hsg. Soc.,  
Hendre Pada,  
Badlapur (West) – 421 503

(Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Assistant Engineer  
Badlapur West Sub-Division

(Here-in-after  
referred  
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the

grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a L.T. consumer of the licensee. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on 09/03/2012 for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Shri Vijay Ramchandra Deshmukh

Address: - As given in the title

Consumer No : - 021540093927

Reason of dispute : Excessive Energy Bill

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/0200 dated 09/03/2012 to Nodal Officer of licensee. The licensee filed reply vide letter No. SE/KC-II/Tech/1456, dated 03/04/2012.
- 4) Hearing was held on 09/04/2012 @ 16.00 hrs. The Chairperson and Member Secretary of the Forum heard both the parties in the meeting hall of the Forum's office. Shri Jairaj Ramchandra Deshmukh, Rakesh Kadam consumer representatives & Shri Kale Nodal Officer, Shri V. H. Kasal, Asstt. Engr., Shri R. J. Patil Asstt. Engr., representatives of the licensee attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record.

- 5) The brief facts of the case are that at Badlapur West i.e. at Hendre Pada there is one Vishw Vihanga Co. Op. Hsg. Sociey, one Shri Vijay Deshmukh is having Consumer No. 021540093994, flat No. 01 whereas one Shri Gangaram Evale is having Consumer No. 021540093927, flat No. 02. On inspection by the licensee it was revealed that the meters allotted to these consumers were slow down and accordingly there was a monitory loss to the licensee. It also appears the complainant Shri Vijay Deshmukh whose Consumer No. is given above after inspection has discharged the penalty but it appears from record that the flat belonging to Shri Gangaram Evale was also in possession of Shri Vijay Deshmukh i.e. how after having panchanama the penalty raised to Shri Evale / Vijay Deshmukh. So as there was unauthorized use by the owner / user / occupier for Consumer No. 021540093927 the complaint was filed to the Police Station under Section 135 of Electricity Act 2003 against Shri Evale as accused No. 1 and Shri Vijay Deshmukh as accused No. 2. It also appears during investigation it was expressed by Shri Vijay Deshmukh to compounding the offence and automatically whatever recovery was shown against Shri Evale / Vijay Deshmukh, the same was discharged by Shri Vijay Deshmukh.
- 6) On chury it is not known to both the parties as to whether that complaint is still under investigation or whether any summary was granted in that case. So we feel as there is no any summary report in record provided by any parties, the matter may be still under consideration of Hon. Criminal Court. In the absence of any summary report as on today, the Forum is of the opinion that as it is the case is under Section 135 of Electricity Act 2003 it is barred by the jurisdiction of this Forum to entertain this complaint. Hence order :

**OPERATIVE ORDER**

- 1) The grievance application is dismissed.
- 2) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

*“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.*

Date : 09/04/2012

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(S.K. Chaudhari)  
Chairperson  
CGRF Kalyan