



Consumer Grievance Redressal Forum, Kalyan Zone  
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**No. K/E/843/1028 of 2014-15**

Date of Grievance : 05/01/2015  
Date of Order : 29/04/2015  
Total days. : 114

**ORDER IN GRIEVANCE NO. K/E/843/1028/2014-15 IN RESPECT OF CHHABILDAS HIRALAL THAKKAR, 172/3, CHHOTALAL GIRDHARLAL BLDG. 3<sup>RD</sup> FLOOR, OPP.POST OFFICE, STATION ROAD, KALYAN (W), DIST. THANE, PIN-421 301 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING EXCESS BILL DUE TO WRONG METER REPLACEMENT REPORT.**

Chhabildas Hiralal Thakkar,  
172/3, Chhotalal Girdharlal Bldg.,  
3<sup>rd</sup> floor, Opp. Post Office,  
Station Road, Kalyan (W),  
District-Thane  
Pin Code 421 301  
(Consumer No. 020028898461)

..... (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through it's  
Dy. Executive Engineer, MSEDCL,  
Kalyan Circle-I, Kalyan

..... (Hereinafter referred as Licensee )

Appearance : - For Licensee: Shri Bharambe- Dy Exe. Engineer  
: Shri Kurade-Asst.Executive Engineer

For Consumer: Shri Sanjay Thakkar

(Per Shri. Sadashiv S. Deshmukh, Chairperson)

Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra

Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as ‘Regulation’. Further the regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission. Hereinafter referred as ‘Supply Code’ for the sake of brevity. Even, regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.’ Hereinafter referred ‘SOP’ for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014’.

2] Consumer applied to Licencee for single phase supply on 14/2/2014. Supply was released on 22/2/2014, by installing meter No.76112672 Thereafter bills were issued to the consumer. However, consumer raised grievance with the Officers of Licencee on 30/5/2014 and 16/6/2014, contending that his meter is taken away, it be restored.

He approached IGRC on 24/6/2014, contending that his meter is changed, inspite of request it is not restored and heavy bill for **Rs.1,28,580/-** issued which is not correct. IGRC passed order on 20/12/2014, rejecting the grievance of consumer.

Against it, consumer sought review on 3/1/2015 and thereafter approached this Forum on 5/1/2015.

3] On receiving the grievance, it's copy along with it accompaniments sent to the Nodal Officer vide letter No.

EE/CGRF/Kalyan/013 and dated 6/1/2015. In response to it Licensee appeared through its Officers and filed reply 23/1/2015, additional contentions filed on 29/1/2015 and 7/2/2015.

Consumer too added written contentions on 27/1/2015 and 5/2/2015.

4] Consumer is residing with his family members consisting of son Sanjay and Parag. This family is using Surname as Thakkar and even as Karia. Consumer is being represented by his son Sanjay.

5] We heard both sides at length at times. Lastly, such submissions are made on 10/4/2015. We have gone through the documents and papers placed along with the grievance and reply. The documents of consumer are marked as Exh. A to Z and AA to AM. Whereas documents of Licencee are marked as Exh. I to XXXII. Further as directed by the Forum both sides placed on record the photographs showing the situation existing on 4/4/2015 in the premises of the consumer and Pardesi, those enlarged photographs are marked as Exh. 1 & 2. Further the enlarged photographs of reading, taken of these meters from April 2014 to September 2014 are placed on record, those are marked as Exh.3 to 8, pertaining to consumer and 9 to 13 pertaining to Pardesi. These documents are marked as Exhibits for the purpose of convenience as to refer them in the order. Accordingly, on the basis of submissions made, following, factual aspects are disclosed:-

a] Consumer was having three phase supply for his residence, in the name of his son Sanjay Karia. As, consumer was staying with his family was, to shift to his other residence, he filed application on 14/2/2014 to the Licencee for providing single phase supply. He submitted along with application, contractors completion and test report. In pursuance of it, Licencee issued firm quotation on 15/2/2014 and its payment was done by

the consumer on the very day, totally for Rs.2089/-. Thereafter supply was given from 22/2/2014 and new service details were uploaded in the IT system on 25/2/2014.

b] While uploading the details, meter number was fed as 7611612672. Initial reading noted as 7901 units and consumer number allotted as 020028898461.

c] After new connection, bills were issued, consumer paid those bills for the months of March, April 2014. Consumer addressed letter to the Dy. Executive Engineer of Licencee 30/5/2014, and alleged that said meter is replaced, without his knowledge without asking him and new meter number 12755924 is seen and further requested that previous meter be restored. Therein it is clarified that bills from 3/3/2014 to 3/4/2014 and 3/4/2014 to 3/5/2014 are already paid.

d] It is seen from record that on 10/6/2014 meter in the premises of consumer was checked and during checking meter number 12755924 noticed and at that time reading in the meter was 16097 units. It is observed in the said report that consumer had refused to sign. In this regard, it is contended by consumer that there was no any prayer for testing of meter and there was no dispute about working of the meter.

e] Consumer thereafter on 16/6/2014 addressed letter to Executive Engineer and reiterated the previous contentions, raised in his application dated 30/5/2014 and claimed that previous meter is not restored.

f] Consumer then approached IGRC on 24/6/2014, alleging the aforesaid grounds, referring letters submitted to Licencee on 30/5/2014, 16/6/2014, but those were not complied and further added that bill dated 13/6/2014 for June 2014 for Rs.1,28,580/- issued which is of consumption pertaining to some other person. IGRC issued notice to the concerned on 4/8/2014.

On behalf of Licencee reply filed before IGRC on 11/8/2014, communicating that on 22/2/2014 supply was given to this consumer and one more consumer namely Pardesi , **meter numbers provided to them were entered in the IT system. As per the record those were given for installation, but at the time of actual installation those meters were interchanged by the line staff** and in result, meter allotted to the consumer was installed in the premises of Pardesi and meter allotted to Pardesi was

installed in the premises of consumer. Further it is contended that when photo reading was recorded from respective installations and fed to the system, the units consumed in the premises of consumer were entered in the name of Pardesi and consumption of Pardesi was entered in the name of consumer. It was due to the photo images having meter Nos. were uploaded to the IT system. It is claimed that this fact was disclosed when Officer of Licencee on receiving the complaint from Pardesi, verified the situation and meter of Pardesi. It is contended that thereafter this mistake was rectified, correction was then entered in the IT without actually changing the meters and retaining those meters at the same place by just preparing paper report of replacement of meters and further bill of Pardesi was set right as per B-80.

During pendency of the matter consumer addressed letter on 5/9/2014 to IGRC.

During pendency of the matter before IGRC, consumer received notice u/s.56 (2) on 10/12/2014, from Licencee. Consumer resisted it vide his letter dated 10/12/2014 addressed to Suptd. Engineering on the ground that as matter is pending before IGRC, such coercive action cannot be taken.

IGRC on hearing both the sides and considering the reply, rejected the grievance of consumer on 30/12/2014. In other words, IGRC upheld the contentions of Licencee about the mistake in installing the meters.

Against the said order consumer attempted to seek review /Revision of order, by sending letter on 3/1/2015.

g] Ultimately, consumer approached this Forum, aggrieved by the order of IGRC, on 5/1/2015.

f] Though IGRC in the order referred to consumer's supply in Vakhar but its relevancy is denied by consumer. Even Officers of Licencee conceded to it. Hence, said observation and conclusion of IGRC, considering the consumption for Vakhar is not correct.

6] Aforesaid are the factual aspects disclosed by consumer and noted from record. **The total aspect revolves around installation of meter on the site and actual information fed to IT system.**

Consumer maintained that whatever is reflected, in the bill is correct and meter installed in his premises was taken out, without his knowledge and he had complained for the first time on 30/5/2014, then on 16/6/2014, those are not considered, meter was not restored back, though not sought meter testing was conducted on 10/6/2014. It is claimed that though in the meter testing report, different meter number is mentioned, but about it already he had complained on 30/5/2014 itself. It is reiterated by consumer in his reply dated 27/1/2015 as under:

“As we have shifted to our new house. We had applied for single phase connection on 14/2/2014, the application copy and payment receipt copy are attached with. Our house being locked, Every time the electric meter photographer came, we accompanied him at the time of taking photograph.

Also at the time of Installation of the Meter which was done **on Sunday at around 11 to 11:30 A.M.** We were standing along with the ‘**Jan Mitra Gaikwad**’ at that time **we saw and also confirm our Meter No. Initial meter reading in the meter** and we used to check the same while the photographer used to take the photographs. **But we observed that our meter was changed without any information or intimation,** after which we had been to Shivaji Chowk Office to lodge complaint for the same. But one ‘**Mr. Shinde**’ came along with the marker pen and eraser and was doing something with our meter. We called him to our Office, which is in the same premises and asked him what he was doing. But he did not gave any satisfactory or proper reply.’

During hearing said copy of noting done on some paper, is, placed on record. It is marked as A E. original of which was verified and returned to the consumer. The relevant material written is as under:

Consumer No. 020028898461. Meter No.11612672 Reading 7901

7] As against it, Licencee contended that initial mistake occurred, towards installation of meter, by the line staff and it led to this peculiar dispute. It is contended that consumption of consumer, due to interchange of meter shown in the name of Pardesi and when said Pardesi came with the bill in April 2014 and complained, Officers of Licencee visited premises of Pardesi and noticed the said flaw which is rectified. Accordingly, this is sum and substance of dispute.

8] In support of his own contention, CR as noted above, produced the written note about the details of meter. Said note is marked as AE ( in this matter both sides produced documents. Those are marked for the purpose of identification in the form of Alphabets A to Z and AA to AL towards the documents of consumer and documents of Licencee are shown by numbers I to XXIII). This document AE of consumer is disputed by the Licencee vide reply dated 7/2/2015, it is contended that said document is not authentic. Matter was kept on 16/2/2015, by giving opportunity to the Licencee to react on the material produced by consumer i.e. written note and even it is noted by the Forum as under, while adjourning the matter.

“Both sides attended. Licencee submitted reply denying the documents of consumer and produced one chart. During the discussion name of lineman Gaikwad who installed the meter, is, disclosed. Licencee made aware of this factual position of CR and Gaikwad, are, only 02 persons having direct knowledge e of the position and enquired with Licencee, whether any details are sought from Gaikwad. It is submitted by Officers of Licencee that technical material is on record and even they will consider to place on record version of Gaikwad. Matter adjourned to 16/2/2015 at 13:00 hours.

Dated: 7/2/2015.”

It is a fact that on 16/2/2015 though matter was taken up, no any written version of Gaikwad or Shinde was placed on record, but said Gaikwad was kept present before the Forum. Officers of Licencee tried to have explanation from Gaikwad that too expecting the Forum to put him questions on this aspect. Forum expressed inability to put any such question as it was the duty of Officers of Licencee to appropriately place on record his explanation/ version if they found it fit, in view of our aforesaid notings in the proceeding. It was expected when such flaw was noticed by the Officers on the complaint of Pardesi, they were required to seek the report of concerned or to obtain explanation from the concerned, who installed such meters that too by interchanging or done corrections by using marker pen.

On this aspect, Licencee failed to reply appropriately. Even the letters of consumer dated 30/5/2014, 10/6/2014, remained unanswered. In other words, no written reply given. Even the effect given in June 2014 after rectifying the mistake, is, also not communicated to the consumer in writing. Attempt is done to contend that it was orally made known to the consumer. Even consumer claimed that this was brought to the notice of Officers of Licencee prior to 30/5/2014. This aspect of oral thing if could have been placed on record, in writing it could have solved the problem. Accordingly, it is clear that Officers of Licencee who are discharging their functions were required to keep appropriate record in writing and could have replied to the consumer. This is the clear failure on the part of Licencee.

Officers of Licencee contended that though there is no reply, in writing to the consumer but factual aspect is of utmost important and mistake committed in installation of meter by interchanging, is, clearly seen from the photo images taken at the time of recording of readings which are



further reflected on the bills of consumer as well Pardesi. We find main dispute pertains to meters interchanged. It is a fact that in the record of Licencee, consumer number and allotment of meters is shown. Consumer's details are provided, endorsing on electrical contractors completion and test report Exhibit -V, therein date of connection is shown as 22/2/2014. Almost all details including consumer number and meter number 11612672 cited. Said endorsement is signed by Gaikwad Asst. Lineman (ALM), putting date as 22/2/2014. It seems that even it is signed by one Mr. Kale. Consumer No. 020028898461 is already given when Firm Quotation was issued on 15/2/2014 Exhibit - VI and same consumer number is reflected in the aforesaid endorsement dated 22/2/2014.

After the endorsement as stated above, details are fed to the system on 25/2/2014. Said report is placed on record i.e. Exhibit-III. In the same fashion towards connection to Pardesi details are entered in the record of Licencee. Those details are filled in towards new service connection, consumer details and those are entered on 27/2/2014, showing date of connection as 22/2/3014, consumer No.0200288977864, meter No. 12755924.

Accordingly, it is submitted that though all the while in record, meter number, consumer number are correctly stated, but **actually while installing it, there is interchange.** For demonstrating the interchange, Officers of Licencee heavily relied on the technical material i.e. photographs taken while recording the consumption. It is contended that photographs pertaining to consumer taken for the month of April, May and June 2014 and further are available and those are depicting the place of installation. Said photographs taken while noting the readings are produced which were taken from IT and were enlarged, copies are provided to the CR.

10] It is a case of meters interchange, documentary material speaks one thing but photographs are material which are seen on the bills issued to the consumer and Pardesi from April 2014. Hence, photographs will be material. Those photographs are to be read in the light of existing situation i.e. where meters are installed. To ascertain exactly the place where meters are installed in the consumer's premises and that of Pardesi, background therein, it was necessary to verify the situation. This we found relevant in the background that in April 2014 Pardesi complained. Thereafter, it seems that staff members and Officers of Licencee ascertained the position noted mistake due to meters interchanged and then prepared sheet of showing replacement of meters i.e. meter of Pardesi installed in the premises of consumer and consumer's meter installed in the premises of Pardesi, right from 22/2/2014 Exhibit XII and XIII. These are mere papers prepared with the intent to ensure, actually meters installed are not changed, but, status in record is set right by giving effect to such change. On the said meter at that time with marker pen consumer numbers are correctly written. Such report is placed on record and it is seen from said report that it was submitted to IT section for uploading on 19/5/2014 and actually it is fed to the system in June 2014. These endorsements are of utmost importance. It is a fact that present consumer complained about the change of meter on 30/5/2014 and

this date is after 19/5/2014. It is a fact that in June 2014, for consumer previous reading is shown as 6161 units and current reading is shown as 15796 units and this reading is disputed by the consumer. It is contended by consumer that some staff members came to his premises and written something on the meter. It is the contention of Licencee that meters are not changed but on existing meters, consumer number written are corrected so as to match it with the correction proposed as per aforesaid report.

In this regard, both sides were called and they were directed to place on record existing situation taking photographs of the aforesaid situation and background of meter's installed in the premises consumer and Pardesi. Accordingly, direction was given to them on 4/4/2015, which they complied. Officer of Licencee Mr. Kurade and consumer's representative both together proceeded to the consumer's premises where meter was installed and to the premises Pardesi where meter was installed and taken photographs and those are uploaded on the computer of this Forum, print out of those photographs are taken. Those photographs are signed by both these persons. Those are now marked as Exhibit 1 & 2.

11] At this stage, it is necessary to compare and note the position of meters installed and details seen in photographs taken for the first time in April 2014, then position set right in June 2014 and the existing situation as per photographs taken i.e. Exhibit 1 & 2. Enlarged photographs of meter reading taken and shown in the bills from April 2014 to September 2014 in the premises of consumer are marked at Exhibit 3 to 8 and that of Pardesi are at Exhibits. 9 to 13. Said chart is as under:

Position in the premises of **consumer Thakkar**

Details on the meter	As on 14/4/2014 Exh. 3	In June 2014 Exh.5	On 4/4/2015 EExh.1
Remark on the top	05-02-14 RTEM 3018	05-02-14 RTEM 3018	05-02-14 RTEM 3018
Reading	9896	15796	Not visible in photo.
Consumer No. seen	020028897 <u>864/1</u>	02002889 <u>8461</u> White strip pasted on it showing same consumer number.	02002889 <u>8461</u> White strip pasted on it showing same consumer number.
Sr./Meter No.	12755924 M Y 10 9	12755924 M Y 10 9	12755924 M Y 10 9
Name	Pardesi	Pardesi	Pardesi
Others	6161	6161	6161

## Position in the premises of consumer Pardesi

Details on the meter	As on 14/4/2014 Exh.9	In June 2014 Exh.11	On 4/4/2015 Exh.2
Remark on the top	06-02-14 RTEM 3020	06-02-14 RTEM 3020	06-02-14 RTEM 3020
Reading	7904	7908	Not visible in photo.
Consumer No. seen	02002889 <u>8461/1</u>	020028897 <u>864/1</u>	020028897 <u>864/1</u>
Sr. / Meter No.	11612672 M Y 02 09	11612672 M Y 02 09	11612672 M Y 02 09
Name	-	-	-
Others	KWT	KWT	KWT

9] From the above chart, it is seen that during April and May 2014 in the premises of the consumer, meter was installed, its number is seen as 12755924 and consumer number seen is of 020028897864/1. In fact said consumer and meter number are pertaining to consumer Pardesi. Whereas

meter No. 11612672 and consumer No. 020028898461/1 are shown in the premises of Pardesi which are pertaining to the consumer. This factual aspect is rectified in June 2014 by just writing on the meter, consumer numbers correctly wherein the meters are installed and towards it paper is prepared showing meter replaced. But factually meter were not replaced but position was set right in June 2014. This factual aspect is further supported from the actual photograph taken on 4/4/2015 jointly by both sides and enlarged copy placed on record under the signature of both sides. Accordingly, position set right is clear. This will be more clear from the following chart, wherein at the initial part, position in record is shown.

**Consumer Thakkar**

**Position on record**

**Position in the premises**

Position on record on 25/2/2014 Exh. III	Details on the meter	As on 14/4/2014 Exh. 3	In June 2014 Exh.5	On 4/4/2015 Exh.1
06 Feb 2014 RTEM 3020	Remark on the top	05-02-14 RTEM 3018	05-02-14 RTEM 3018	05-02-14 RTEM 3018
7901	Reading	9896	15796	Not visible in photo.
020028898461	Consumer No. seen	020028897 <u>864/1</u>	02002889 <u>8461</u> White strip pasted on it showing same consumer number.	<u>020028898461</u> White strip pasted on it showing same consumer number.
11612672	Sr./Meter No.	12755924 M Y 10 9	12755924 M Y 10 9	12755924 M Y 10 9
-	Name	Pardesi	Pardeshi	Pardesi
-	Others	6161	6161	6161

## Consumer Pardesi

Position on record on 27/2/2014.

Position in the premises

Position on record on 27/2/2014 Exh. VIII	Details on the meter	As on 14/4/2014 Exh.9	In June 2014 Exh.11	On 4/4/2015 Exh.2
06 Feb 2014 RTEM 3018	Remark on the top	06-02-14 RTEM 3020	06-02-14 RTEM 3020	06-02-14 RTEM 3020
6161	Reading	7904	7908	Not visible in photo.
020028897864	Consumer No. seen	02002889 <u>8461/1</u>	02002889 <u>864/1</u>	02002889 <u>864/1</u>
12755924	Sr. / Meter No.	11612672 M Y 02 09	11612672 M Y 02 09	11612672 Y M 02 09
-	Name	-	-	-
-	Others	KWT	KWT	KWT

This aforesaid chart clearly demonstrate that though in the initial record meter numbers are shown but actually those are not installed as per the record, there is interchange of meters amongst consumer and Pardesi. It is clear that said position is set right, just by preparing papers about meter replaced though not actually the meters replaced but continuing the same meter mentioning thereon the meter, correctly the consumer number erasing the previous one. Accordingly, it is clear that this is a clear case of meter interchange.

10] This aspect of interchange leads to a conclusion that it is a staff which was not careful in dealing with it and Officers of Licencee were not careful to appropriately keep on the record, the position when this flaw was noted, by seeking explanation from said Gaikwad 'Jan Mitra' and Mr.

Shinde who by erasing the meter and corrected the consumer numbers on the meters. This act of mistake occurred due to negligence but factual aspect as noted above demonstrates about the meter interchange. Best evidence in the form of existing situation, depicted in the photographs while taking readings and photo sought on record from both sides jointly, supported this conclusion. In this light, we are not able to find any force in the contention that consumer's meter was changed without his knowledge or about his noting details on the paper. We find it is on the basis of bills issued for the month of March and April 2014.

11] Licencee in addition came up with a contention that liability worked out, on consumer in the bill of June 2014, is, correct and in that respect consumer's previous trend of consumption of three phase connection required to be considered and it will tally with the liability worked out. It is brought on record that though new connection is provided to the consumer on 22/2/2014 which is in dispute, prior to it, at the same place, there was another connection of **three phase**, it was in the name of consumer's son Sanjay Chhabildas Karia, bearing consumer No. 020020926784. As per the CPL produced, consumption noted for the said connection from July 2013 to February 2014 shown as under in the further chart. From March 2014, consumption for the said consumer number is 0 as it is PD.

Present single phase supply provided to the consumer on 22/2/2014 and consumption reflected as per the bills issued towards consumer No.020028898461 are shown in the further chart.

Consumer came up with the contention that prior to seeking two phase connection at disputed place, three phase connection in the name of son Sanjay was being utilized for residential purpose and it was used by Chhabildas and his two sons Sanjay and Parag, as all were residing jointly. But, said three phase supply made PD in February 2014. It is further contended that in the name of Chhabildas, supply with reduced load to single phase connection as his family shifted in Queens Gate, Mohan Heights in front of Golden Park, Kalyan. At that place, consumer's sons Sanjay and Parag were having electric connection in block No.A-904 and A-1004 bearing consumer Nos. 020024152996 and 020024153003, respectively. Said supply was of 2.5 of KW load but both of them sought enhancement of load applying on 25/2/2014. FQ was issued on 28/2/2014. It was paid on 3/3/2014. Thereafter supply was given and reading shown from April 2014. On this basis consumer had tried to contend that as family was separated, they shifted and three phase connection made PD by taking single phase supply. Licencee claimed that relevancy is of previous supply noted prior to three phase supply and previous supply at Queens gate in Block No.A-904



and A 1004 is also of utmost importance. Those consumptions are shown in the following chart.

Months	Sanjay Karia 020020926784 Three phase <b>A</b>	Chhabildas 020028898461 single phase <b>B</b>	Sanjay Karia 020024152996 904 QC <b>C</b>	Parag Karia 020024153003 1004 QC <b>D</b>	Total of A,B,C & D
July 2013	1866	-	33 2.5 KW	00 KW 2.5	1899
August	1654	-	35	00	1689
September	2153	-	110	00	2262
October	2739	-	85	00	2824
November	3117	-	96	00	3213
December	2199	-	70	00	2269
January-14	1923	-	30	00	1953
February	1624	-	00	00	1624
March	00 PD	33 New Three PH	04	03	40
April	-	03	34 8.5 KW	24 8.5 KW	61
May	-	02	01	308	11
June	-	9635	15	1323	10973
July	-	1313	855	1083	3251
August	-	12	798	701	1511
September	-	41	691	690	1422
October	-	05	756	740	1495
November	-	06	887	812	1705

12] These figures are self speaking. In the last column total consumption of the family, at all places, is, just noted and it is seen that prior to taking two phase supply and thereafter total consumption of consumer was in between 1495 to 3251 units per month. Accordingly, the consumption shown in June 2014, though it is of 9635 units, it covers the period from March 2014 to June 2014. It is period of four months, if this quantum is divided, by four months, it comes to average 2409 units per month and it comes near to the aforesaid previous or subsequent consumption of this consumer's family. This is one more circumstantial aspect in support of Licencee's contention. In the light of aforesaid analysis of facts no more comments are required on which date consumer's family shifted to other place. Total consumption during the disputed period is clearly demonstrated. Accordingly, we find Licencee though not kept the track properly negligence is demonstrated but factual aspect is clearly seen and it is a mistake. Hence, consumer is to bear the liability which is now to be worked out by the Licencee. It is a fact that Licencee acted on the complaint of Pardesi, resorted to B80, but no such efforts are taken for consumer, without consumer's fault, consumer was made to pay consumption of Pardesi and abruptly asked to pay the difference. But while working out the difference, the consumption shown in the month of June is to be bifurcated right from the month of inception i.e. from February 2014. Accordingly, Licencee is to work out spreading the consumption shown in June 2014 up to February 2014 and deducting the payment done by consumer from February 2014 onwards to June 2014. Accordingly, grievance of consumer, in this light, is to be partly allowed.

13] Before closing the matter it is just necessary to mention that consumer placed on record one more communication to the Forum on 13/4/2015, contending that on 10/6/2014 meter in his premises was acue checked and reading was shown as 16097 units. But photograph of reading for June 2014 is shown as 15796 units. It is contended that if these two are considered, then there was mistake in the photograph and that photographs are being denied by the Licencee to suit its claim. We find the bill and photograph which consumer is referring is dated 13/6/2014 for the month of June 2014, covering the period from 3/5/2014 to 3/6/2014. Hence, though meter is acue checked on 10/6/2014, definitely it is after 3/6/2014. Hence, said reading noted at the time of acue check of 16097 units cannot be faulted.

14] This matter could not be decided within the prescribed time, as some factual aspects are to be clarified, which are clarified till 10/4/2015.

Hence the order.

### **ORDER**

Grievance of the consumer is hereby partly allowed.

Consumer is to pay as per the consumption noted in Meter No. 12755924 from inception i.e. from 22/2/2014 onwards. Initial reading for said meter was 6161 units and in the bill of June 2014 dated 13/6/2014 current reading is shown as 15796 units and accordingly, consumption of units in the month of June shown as 9635, whereas this total consumption, is not for the said month, but it is from inception, as there was interchange of meter and hence, for this difference of units 9635 it is to be spread over the period from 22/2/2014 to 3/6/2014 and appropriately it is to be divided for that period and bill is to be prepared. The bill prepared for June 2014 dated 13/6/2014, in this light, found not correct. While preparing the fresh bill it is

also to be considered by the Licencee, payment done by consumer till then and that amount is to be deducted while working out the liability.

Consumer has pointed out that even further there is flaw committed and in the month of December 2014 onwards readings are not correctly shown. He has pointed out in the bill of March 2015, current reading is shown as 16176 whereas previous reading is shown as 18810 units. Hence Licencee is required to appropriately correct the bills, from December 2014 onwards. No doubt, it is stated that for the month of December 2014 and January 2015 consumption is hardly of 3 units. Accordingly, from December 2014 onwards, Licencee is to prepare the bill as per rules afresh. Reading of 16176 for the month of March 2015 shown in the said months bill is not in dispute.

Aforesaid calculations be complied within one month after serving such bills to the consumer and then it be recovered as per rules.

Kalyan

Dated: 29/4/2015

I agree

I agree

**(Mrs.S.A.Jamdar)**  
Member  
CGRF,Kalyan

**(Chandrashekhar U.Patil)**  
Member Secretary  
CGRF,Kalyan

**(Sadashiv S.Deshmukh)**  
Chairperson  
CGRF, Kalyan

**NOTE**

*a] The consumer if not satisfied, may file representation against this*

*order before the Hon. 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”.*

*b] Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance,*

*part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address:-*

*“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”*

*c] It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.*

22 Grievance No. **K/E/843/1028 of 2014-15**

Months	Sanjay Karia 020020926784 Three phase	Chhabildas 020028898461 Two phase	Sanjay Karia 020024152996 904 QC	Parag Karia 020024153003 1004 QC
July 2013	1866	-	33	00
August	1654	-	35	00
September	2153	-	110	00
October	2739	-	85	00
November	3117	-	96	00
December	2199	-	70	00
January-14	1923	-	30	00
February	1624	-	00	00

23 Grievance No. **K/E/843/1028 of 2014-15**

March	00 PD	33 New Thee PH	04	03
April	-	03	34 8.5 KW	24 8.5 KW
May	-	02	01	308
June	-	9635	15	1323
July	-	1313	855	1083
August	-	12	798	701
September	-	41	691	690
October	-	05	756	740
November	-	06	887	812
December	-	1169	874	855
January-15	-	1169	602	354

