

**Maharashtra State Electricity Distribution Co. Ltd.'s  
Consumer Grievance Redressal Forum  
Nagpur Urban Zone, Nagpur**

---

**Case No. CGRF(NUZ)/065/2009**

- Applicant : M/s. Ameya Printers  
At plot No. 251,  
Old Bagadgunj Garoba Maidan,  
Nagpur.
- Non-applicant : MSEDCL represented by  
the Nodal Officer-  
Executive Engineer,  
Mahal Division, NUZ,  
Nagpur.
- Quorum Present : 1) Smt. Meera Khadakkar  
Chairman,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.
- 2) Smt. Gouri Chandrayan,  
Member,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.
- 3) Shri S.F. Lanjewar  
Executive Engineer &  
Member Secretary,  
Consumer Grievance Redressal  
Forum, Nagpur Urban Zone,  
Nagpur.

**ORDER (Passed on 16.02.2010)**

The present grievance application has been filed on dated  
04.12.2009 under Regulation 6.4 of the Maharashtra Electricity

Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The complainant has filed the present grievance application for refund of excessive charges amount.

It is the consumer case that he has been charged excess amount for the month of August 2008 to June 2009.

The applicant had informed the non-applicant about the faulty MD billing. However, no action is taken in this regard.

The applicant has submitted that it is clear from the energy bills that the MD has been re-settled a Zero and the same continued till June 2009.

The C.T. have been changed on 01.04.2009 and new meter is installed on 01.07.2009.

According to the applicant the non-applicant has recovered the excess charged from the consumer the non-applicant should have charged the consumer @ 40% of the contract demand as per MERC revision on tariff on 2008-2009.

The non-applicant has filed his parawise reply on 16.12.2009. The non-applicant has submitted that his meter was submitted for testing the meter was tested in presence of the consumer and the report of the Testing Department clearly shows that the meter is within the limits. Therefore, there is no need of correction in the bills. The non-applicant has also filed the documents in-support of his reply.

Heard both the parties, the non-applicant has admitted that the applicant is the consumer of the non-applicant running business in the name & style "M/s. Ameya Printers" at Nagpur.

According to the non-applicant the meter was tested and is within the limit.

The non-applicant has filed copy of the report of the Testing Division on dated 06.11.2009.

It is submitted by the learned consumer representative that the MD has not been re-settled zero since August 2008 to June 2009. The non-applicant has also not denied this position. It is also clear from the documents on record that the record of MD shown in the bill of August 2008 is 89.19 KVA which is continued till June 2009. The consumer's representative has also shown a letter of the Jr. Engineer Bugadgunj on dated 03.08.2009 wherein the Jr. Engineer has clearly stated that there is a fault in the MD of new meter. The letter is a copy of communication between the Jr. Engineer and the Executive Engineer Mahal Division, Nagpur.

It is clear from the documents on record that the MD of the meter on consumer is faulty since August 2008 till June 2009.

A careful perusal of the meter testing report on record makes it clear that there is no observation about the status of the meter on the MD in the report. Hence it is difficult to accept that the meter was normal since the MD of the meter was faulty.

It is the consumer's contention that he was charged excess amount ignoring the fault in the MD of the meter. He should have been charged 40% of the contract demand. It is submitted by the

consumer's is representative that an amount of Rs.1,40,500/- is excessively charged.

The non-applicant has accepted that the consumer was charged an amount of Rs.1,61,300/-. The non-applicant's contention about the correctness of the billing demand cannot be accepted.

After considering the submission of the both the parties as well as various provision of law. We are satisfied that the non-applicant has charged excess demand to the consumer. In view of the fault in the meter MD it is necessary to correct the billing demand after considering the circular. It is clear that the non-applicant can charge as per the second option stated in the MERC revision of tariff 2008-2009 @ 40% of the contract demand.

The consumer has prayed for refund of the amount with interest @12%.

In view of the still legal position on this point the consumer's prayer for interest @12% per annum cannot be considered. He is entitled to get interest at the Bank rate.

After considering the arguments of the both the side and discussion about the application is allowed.

The non-applicant is directed to charge the applicant @ 40% of the contract demand for the period August 2008 to June 2009.

The non-applicant is further directed to refund the excess charges amount along-with interest as per Bank rate.

The non-applicant is liberty to get refund the amount by way of the adjustment in the future electric bills.

The non-applicant shall carry out this order & report compliance to this Forum on or before 15.03.2010.

Sd/-	Sd/-	Sd/-
<b>(S.F.Lanjewar)</b>	<b>(Smt.Gauri Chandrayan)</b>	<b>(Smt. Khadakkar)</b>
Member-Secretary	MEMBER	CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM**  
**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's**  
NAGPUR URBAN ZONE, NAGPUR.

Member-Secretary  
Consumer Grievance Redressal Forum,  
Maharashtra State Electricity Distribution Co.Ltd.,  
Nagpur Urban Zone, NAGPUR