

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

Case No. CGRF(NUZ)/078/2010

Applicant : Shri Jayantilal Mohanlal Sagar,
At House No. 54, Bapurao Galli,
Itwari, Sagar Niwas,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Gandhibag Division,
Nagpur.

Quorum Present : 1) Shri Shivajirao S. Patil
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

3) Smt. Kavita K. Gharat
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 16.12.2010)

The applicant Shri Jayantilal M. Sagar, Itwari, Sagar
Niwas, Nagpur filed present grievance application on dated 22.10.2010

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.

1. It is the contention of the applicant that he received a bill dated 16.07.2010 amounting to Rs. 24,450/-. The applicant is using this connection with no. 410015163392 only for residential purpose only. However, on the bill dated 16.07.2010, the non-applicant had wrongly endorsed about un-authorized use of electricity. He protested this amount vide letter dated 16.07.2010. The applicant has paid the amount of Rs. 8000/- with a apprehension that the non-applicant may disconnect the supply. After payment of Rs. 8000/- by the applicant on 13.09.2010, the non-applicant said that there it was a penalty amount. Saying so the non-applicant issued a new bill amount to Rs. 29509/- thereby ignored the applicant's request. This is a bill wrongly issued by the non-applicant because as per applicant say he has never consumed this much energy. Therefore the applicant has filed the grievance application in the Forum on dated 22.10.2010 and requested that proper bill may be issued as per electric energy which he had consumed.
2. The non-applicant produced copy of their letter outward no. 2071 dated 09.11.2010. It is the letter issued by Dy. E.E. Itwari S/Dn., MSEDCL addressed to Executive Engineer Gandhibag Division. It is the letter regarding grievance application of the applicant. In this letter it is specifically mentioned that as per spot inspection by Damini Squad Jr. Engineer Itwari had mentioned regarding unauthorized use of electricity under section 126 of Electricity

Act, 2003. Alleging that residential connection was used for non-residential purposes and bill of Rs.16576/- was issued. Matter was reheard in the office of MSEDCL, Nagpur before a particular committee Constituted for this purpose and in the spot inspection, it is found that there was no unauthorized use for non-residential purposes. Therefore charging under section 126 of Electricity Act 2003 was withdrawn. As per request of the applicant and as per the direction of Executive Engineer Gandhibag Division a fresh bill was prepared and forwarded to the applicant.

3. The matter was heard in the Forum on dated 11.11.2010. Both the parties were present. On behalf of non-applicant, Shri V.B. Meshram, Executive Engineer, and Shri S.V. Ranade, Jr. Engineer, Gandhibag Division, were present. The applicant's side was presented by Shri Sunil Jacob.
4. Forum heard argument from both the side and persuade the entire record. Record shows that there is an office note dated 26.10.2010. This office note is prepared as per consumer's appeal and Jr. Engineer's spot inspection report. In this office note, it is specifically mentioned that tariff to be changed from BL to RL.

5. In this office note it is further specifically mentioned that “as the case under section 126 but the appellate authority has accepted the statement of the consumer and the committee has decided to withdraw the charges frame under section 126 and order to charge the bill from 07/2010 to 10/2010 in the residential tariff”.

6. The documentary evidence on record shows that the non-applicant had already considered request of the applicant and had withdrawn the allegation regarding unauthorized use of electricity under Section 126 of the Electricity Act, 2003. The non-applicant is fully satisfied that there was no authorized use for non-residential purposes. Therefore disputed bill is already canceled by the non-applicant and issued a fresh bill as per residential tariff. During the course of hearing the applicant is also fully satisfied regarding the correction in the bill made by the non-applicant and grievance of the applicant was fully resolved.

7. Therefore in fact no dispute remained between the parties. However we must mention here that the non-applicant shall consider the payments made by the applicant from time to time and this payment shall be adjusted in the corrected bill. Hence the Forum proceed to pass the following order.

ORDER

1. Prayer of the applicant is already considered by the non-applicant and fresh bill for residential tariff is already issued. Therefore the grievance application is fully resolved.
2. However, the non-applicant shall adjust re-payment made by the applicant during the pendency of the matter.
3. The grievance application is finally disposed off.

Sd/- Sd/- Sd/-
(Smt K.K.Gharat) (Smt.Gauri Chandrayan) (ShriShivajirao S.Patil)
Member-Secretary MEMBER CHAIRMAN
CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.