

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

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**Case No. CGRF(NUZ)/28/2013**

Applicant : Shri Jagdish Kamal Kishor Jaiswal,  
52, Pradshant Niwas, Sonbanagar,  
Old Pardi Naka,  
NAGPUR : 440 035.

Non-applicant : Nodal Officer,  
The Superintending Engineer,  
(Distribution Franchisee),  
MSEDCL,  
NAGPUR.

Quorum Present : 1) Shri. Shivajirao S. Patil  
Chairman,  
  
2) Adv. Subhash Jichkar,  
Member,  
  
3) Smt. Kavita K. Gharat  
Member Secretary.

**ORDER PASSED ON 12.4.2013.**

1. The applicant filed present grievance application before this Forum on 14.2.2013 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. The applicant's case in brief is that applicant received excessive bills. Therefore he reported the matter to M/s. SPANCO in the month of January 2012 to check and replace the meter. Meter was checked as per S.N.D.L. in absence of the applicant and it was told that meter is O.K. The applicant was not satisfied. Therefore he approached to I.G.R.C. Learned I.G.R.C. rejected his application. Therefore the applicant filed present grievance application before this Forum.

3. Non applicant SPANCO filed reply dated 8.3.2013 and denied the applicant's case. It is submitted that meter is tested by acucheck and it is found correct. Application is false and deserves to be dismissed.

4. Forum heard the arguments of both the sides and perused the record.

5. It is positive grievance of the applicant that meter was not tested in his presence. Therefore during the course of hearing Dt. 12.3.2013, this Forum suggested that it will be justified to ascertain the truth to test the meter in the laboratory of M.S.E.D.C.L. in presence of the applicant and Member / Secretary of the Forum. It is noteworthy that SPANCO was ready for such testing but applicant refused and objected for testing of the meter in the laboratory. Forum has noted this unwillingness and objection of the applicant for

testing of the meter in order sheet Dt. 12.3.2013 in writing. It is rather surprising that it was request of the applicant to test the meter in his presence since beginning. It was grievance of the applicant that SPANCO had not tested meter in his presence. However, when the Forum suggested for testing of the meter in presence of the applicant and Member / Secretary of the Forum but applicant flatly refused and objected. Therefore we have no hesitation to draw adverse inference against the applicant that it is very well known to the applicant that meter is O.K. and therefore applicant apprehend that in case meter is tested in his presence and in the presence of Member / Secretary of the Forum, truth may come out and testing division may report that meter is O.K. and in that eventuality the applicant will not be able to extract amount from M/s. SPANCO by minimizing his bill. If really meter is faulty, there was no reason for the applicant for objection and opposition for the testing of meter.

6. It appears that according to apprehension of the application meter is in custody of SNDL since 19.12.2012. However it is procedure as per relevant regulations that whenever meter is replaced, it has to be sealed on the spot itself and has to be preserved in the store. Therefore in this case also, it is but natural that since the date of replacement of meter it is in sealed condition and SNDL can not interfere with the sealed meter. At the time of testing, testing division has to verify whether the seals and sealing dates on the meter are intact or

not. Therefore we find no substance in the apprehension of the applicant that merely because since 19.12.2012 meter is in custody of S.N.D.L. there is likely hood of tampering of the meter.

7. In such type of cases, testing of the meter in the laboratory in presence of the applicant and Member / Secretary of the Forum is the only solution to find out truth and to deliver the justice to the relevant parties according to relevant regulations, but applicant himself opposed and objected for the testing of the meter as proposed by the Forum. Therefore there is no evidence on record to show that meter is faulty. On the contrary meter testing report filed by S.N.D.L. on record shows that meter is O.K. and therefore bills of the applicant can not be revised as prayed for. Therefore we find no substance in the present grievance application and application deserves to be dismissed. Hence Forum proceeds to pass following order :-

#### ORDER

- 1) Application is dismissed.

Sd/-  
(Smt.K.K.Gharat)  
MEMBER  
SECRETARY

Sd/-  
(Adv.Subhash Jichkar)  
MEMBER

Sd/-  
(ShriShivajirao S.Patil)  
CHAIRMAN