

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, M.S.E.D.C.L., AURANGABAD.

(Case No: CGRF/ AZ /JLN/ 403 / 2012 /36)

Date of Filing: 13.09.2012

Date of Interim Relief 13.09.2012

- 01) Dr. Kisanrao Govind Khilari,
Krishna Sonodoppler Clinic,
Amarchaya Talkies,
Jalna. Consumer Complainant.
(Consumer No510030375562 –Comm.).

V/s

- 02) The Executive Engineer (Admn.) Respondent No.
Nodal Office, O/O The Superintending Engineer,
O&M Circle, MSEDCL,
JALNA.

Coram:

Shri V.B. Mantri	President
Shri V.S. Kabra	Member
Shri S.K.Narwade,	Member/Secretary

ORDER

Heard the complainant/consumer. Read the complaint. The electric supply is being used for Sonography Centre. The respondent has issued bill for the sum of Rs.12,91,930/- by applying Sec.126of the Act. The connection was for residential purpose. The bill for Rs.5,80,280/- was then issued on 31.07.2012. The consumer has already paid Rs. 2,00,000/- for interim relief. The details of bill of Rs.5,80,280/- has not been given. There is controversy regarding the bill of Rs.5,80,280/- The consumer is praying for interim relief not to cut the supply till decision of his grievance petition.

As the petitioner has already paid Rs.2 Lakh for interim relief against the disputed bill, we think delay would defeat the purpose of grievance petition. Therefore subject to the merits of the case, We are of the opinion that, petitioner is entitled for interim relief till 25.09.2012 as follows:- We therefore pass the following order.

ORDER

- 01) Both the respondents are hereby temporarily restrained from disconnecting the supply to the complainant till 25.09.2012.
- 02) Issue notice to the respondents.
- 03) Inform the respondents.

Sd/-
(S.K.Narwade)

Sd/-
(V.B.Mantri)

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Date of decision 16.10.2012

01) Dr. Kisanrao Govind Khilari,
Krishna Sonodoppler Clinic,
Amarchaya Tallkies,
Jalna. Complainant.
(Consumer No. 510030375562 –Comm.).

V/s
02) The Executive Engineer (Admn.) Respondent .
Nodal Office, O/O The Superintending Engineer,
O&M Circle, MSEDCL,
JALNA.

Coram:

Shri V.B. Mantri President

Shri V.S. Kabra Member

Shri S.K.Narwade, Member/Secretary

ORDER

- 01) Complainant is the consumer of respondent having consumer No. 510030375562. He has taken the connection in the year 2003 for Hospital applying for commercial use of load 22 KW and he is paying regularly electricity bills upto June 2012. The bills are issued by respondent as per meter reading with the tariff applicable.
- 02) Complainant has increased his load upto 75 KW in the year 2007 and respondent has shown the tariff code LT commercial 04 on the bills issued to the complainant.
- 03) The respondent has issued a bill to the complainant of Rs.12,91,930/- (Rs.Twelve Lakhs Ninety One thousand Nine hundred thirty only) dated 16.07.2012 showing bill is charged as per Section 126 of E.A. 2003. On the grounds of inspection of Hospital on dated 15.06.2012.
- 04) The assessment bill of Rs.12,91,930/-, is not supported with the documents regarding Section 126 and also the assessment sheet. Complainant has demanded the assessment sheet to respondent however

- respondent has not given the assessment sheet. The respondent informed the complainant by letter dated 05.07.2012, the bill is given as per commercial tariff. Respondent has given notice of disconnection to the complainant by his letter dated 18.07.2012. and issued bill of Rs.5,80,280/- (Rs. Five lakhs eighty thousand two hundred eighty only).
- 05) The complainant has requested by giving application to respondent not to disconnect the supply and issue revised corrected bill under the threat of disconnection. The respondent has issued bill of Rs.5,80,280/- (Rs. Five lakhs eighty thousand two hundred eighty only) on dated 21.07.2012.
- 06) Complainant has paid the bill in installment of Rs. 2,00,000/- (Rs. Two Lakhs only) under the threat of disconnection of supply of Hospital. A complainant requested the respondent he is not aware of the tariff and since from the date of connection he is paying the bill as per the tariff given by respondent. Complainant himself has taken the connection for commercial purpose in 2003 hence the bill issued irregularly may be quashed.
- 07) In reply to the complaint respondent has agreed the bill of Rs.12,91,930/- (Rs.Twelve lakhs ninety one thousand nine hundred thirty only) was issued to the complainant as per Section 126 of E.A.2003. On objection of the consumer by his letter 23.07.2012 the bill of Rs.05,80,280/- (Rs. Five lakhs eighty thousand two hundred eighty only) is given to complainant on dated 31.07.2012 for change of tariff Residential to Commercial.
- 08) The bill given to the complainant of Rs. 05,80,280/- (Rs. Five lakhs eighty thousand two hundred eighty only) is for commercial tariff effective from Augst.2009. The respondent has given the sheet of working of bill. The bill given to the complainant from August 2009 is only for change of tariff i.e. from Residential use to Commercial use. Hence the bill issued to the complainant is correct and complainant has paid the bill in installment of Rs. 2,00,000/- as first installment therefore the complaint may be dismissed.

The Forum has heard complainant and respondent. The bill under section 126 of Electricity Act 2003 issued by respondent have withdrawn and issued revised bill of Rs. 05,80,280/- for change of tariff effective from August 2009. The complainant has paid bill in installment under protest under the threat of disconnection of power supply of the Hospital. The complainant has taken the connection for Hospital for commercial use and paid the bills issued regularly as given by respondent. The complainant is not aware of changes in tariff time to time. The respondent has given bill as per commercial tariff for some period and thereafter changed the tariff as residential purpose. The complainant is unknown of the tariff he is paying bills as given by respondent. The Forum is in the opinion that the respondent may issue difference bill of tariff for 24 months prior from the date of inspection.

ORDER

- 01) The bill of Rs.05,80,280/- is hereby quashed
- 02) Respondent to issue difference bill of tariff for 24 months prior since from date of inspection.
- 03) Complaint is disposed off with no costs.

(V.S. Kabra)
Member

(S.K. Narwade)
Member/Secretary

(V.B .Mantri)
Chairperson

