

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

( Case No: CGRF/ AZ /JLN/ 415 / 2012 /48 )

Date of Filing: 20.11.2012

Date of decision 18.12.2012

01) Shri Jaiparkash Mithulal Bhansali,  
1/7/45 College Road,  
Near Syndicate Bank,  
JALNA. Complainant.  
( Consumer No.510030238344 )

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

JUDGEMENT

- 01) Complainant is the consumer of respondent having consumer No. 510030238344. He has taken the connection in the year 1993 for Hospital applying for commercial use of load 30 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) The 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.1,58,820/- (Rs.One lakh fifty Eight thousand Eight hundred twenty only) dated 20.06.2012 showing bill is charged as per Section 126 of E.A. 2003. On the grounds of inspection of Hospital on dated 20.06.2012.
- 04) The assessment bill of Rs. Rs.1, 58,820/- (Rs.One lakh fifty Eight thousand 2<sup>nd</sup> Eight hundred twenty only)-, is not supported with the documents regarding Section 126 of E.A.2003 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 Nil, the bill is given as per commercial tariff
- 05) The complainant has requested by giving application to respondent not to disconnect the supply and to issue revise corrected bill. The respondent has issued bill of Rs Rs1, 18,667/- (Rs. One Lakh Eighteen thousand Six hundred sixty seven only) on dated 25.09.2012. The complainant has paid installment of Rs. 40,000/- as a first installment and Rs.40,000/- 2<sup>nd</sup> installment under the threat of disconnection.
- 06) Complainant has paid the bill in two installment of Rs.80,000/-- (Rs. Eighty thousand only) under the threat of disconnection of supply of Hospital. A complainant requested the respondent that, 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 1993 hence the bill issued is illegal and may please be quashed.

07) In reply to the complaint, the respondent has agreed the bill of Rs.1,58,820/- (Rs.One Lakh Fifty eight thousand eight hundred twenty only) was issued to the complainant as per Section 126 of E.A.2003. On objection of the consumer the bill of Rs.1, 18,667/- (Rs. One Lakh Eighteen thousand Six hundred sixty seven only) is given to complainant on dated 25.09.2012 for change of tariff Residential to Commercial.

08) The bill given to the complainant of Rs. Rs.1, 18,667/--(Rs. One Lakh Eighteen thousand Six hundred sixty seven 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 for 34 months. Hence the bill issued to the complainant is correct and complainant has paid the bill in installment of Rs. 80,000/- in two installments 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. Rs.1, 18,667/--(Rs. One Lakh Eighteen thousand Six hundred sixty seven only) for change of tariff effective from August 2009 to May 2012 i.e. 34 months. . The complainant has paid bill in installment under protest and 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 tariff difference bill for 24 months prior from the date of inspection.

ORDER

- 01) The bill of Rs.1, 18,667/--(Rs. One Lakh Eighteen thousand Six hundred sixty seven only) is hereby quashed
- 02) Respondent to issue tariff difference bill of for 24 months prior, Since from date of inspection.
- 03) Complaint is disposed off with no costs.

**Sd/-**  
(V.S. Kabra)  
Member

**Sd/-**  
(S.K. Narwade)  
Member/Secretary

**Sd/-**  
(V.B .Mantri)  
Chairperson