

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

(Case No. CGRF/AZ/AUR/ JLN / 460 / 2013 /44

Date of Filing: 02.07.2013

Date of Decision 31.08.2013

01) Shri Subhash Manikrao Deshpande, Complainant.
Deshpande Galli ,
Tal.Partur, Dist. JALNA
(Consumer No. 524010022044)

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

REDRESSAL-DECISION.

1. The Grievance of the complaint is against the bill issued in the month of August 2012 for Rs. 19136=72, in which the Sum of Rs 1314=97 has been shown as the bill as per meter reading and the sum of Rs. 17065=32 has been shown as Adjustment bill.
2. It is the Grievance of the complaint that, he is consumer of the respondent hearing consumer No.524010022044 the respondent had released the

electricity connection in the year 1991. The complainant is regular in making payment of the bills and paid bills up to May 2012. The respondent however has issued bill in the month of August 2012 which the Sum of Rs. 17065=32 has been shown as Adjustment bill in addition to regular bill of Rs 1314=97 as per meter reading. The complainant requested for clarification of such adjustment bill but no clarification has been given regarding Adjustment bill. The complainant has therefore filed his Grievance before IGRC but no relief has been given by IGRC within the period of 60 days Hence the present complaint

3. In response to the notice to the respondent, reply has been filed on 22.07.2013 and pleaded that, these was old electric connection bearing consumer No. 524010010216 in the same name and on the same premises, which was permanently disconnected on account of nonpayment of electricity dues of Rs.17065=32 Ps. at the time of P.D. The supply of electricity was permanently disconnected on March 2010. The P.D. arrears were transferred to consumer No 524010082144. The bill issued in the month of August 2012 as such is correct bill i.e. regular bill of Rs. 1314=97 as per meter reading and Rs.17065=32 ps. as outstanding bill of P.D. connection The complaint Should be dismissed
4. This Forum beard Submissions of complainant and the Nodal officer. The following points arise for our determination for redressal of Grievance.

POINTS

FINDWGS

1. Whether claim of recovers of P.D.

Arrears of Rs. 17065=32/- due on

No

March 2010 is within limitation as on

Claimed date in August 2012?

2. Whether the respondent is right in making
Transfer of such P.D. arrears in the bill of
Complainant in the month of aug.2012. No
3. Where the claim of respondent for Rs. 17065=32
Ps as adjustment bill made in disputed bill of
Aug. 2012 is justified? No
4. What redressal AS Follows
5. The alleged P.D. arrears are admittedly due and payable as per the case
of respondent itself is in the month of March 2010. The complainant has
paid the bills regularly till May 2012. The outstanding bill has not
claimed bill July 2012. The arrears were claimed for the first time in the
month of Aug. 2012 as on bill of adjustment and not a bill of arrears. No
attempts were made by respondent recover the bills within the period
of two years.
6. This Forum agrees submissions of nodal officer to the effect that, charge
of electricity other than charter for electricity due to D.L. which remains
unpaid, shall be on the premises but such charge cannot be made or
transferred beyond the period of limitation of two years U/s 56 of the
Act. The respondent has claimed the arrears beyond the period of two
years, Hence the claim is not within limitation. The respondent as such is
not right in making transfer of such arrears in the bill of Aug 2012 It is
not clear as to how and why for the respondent was pleased to release
new connection, without making recovery of old P.D. connection and
why for respondent allowed to expire the period of Limitation to

transfer such arrears in new connection bill. Why for respondent remain awaiting to claim such bill till Aug. 2012, which was due in the month of March 2010 of course, it is a matter of investigation which is to be done by the higher officers of M.S.E.D.C.L. and not the business of redressal to the consumer, Any how this forum is of the opinion that, the disputed arrears of PD out standing in not within the period of limitation. The claim of such bill is not Justified made in the month of Aug. 2012 The said bill is required to be set aside. The Grievance of the complainant is required to be allowed. The above points are thereby answered accordingly. This forum therefore proceeds to pass the following order of redressal

Order

1. The Grievance of the complainant is hereby allowed as follows
2. The claim of Rs. 17065=32 Ps made by the respondent in the month of Aug. 2012 towards P. D. arrears of connection No 524010010216 is hereby set aside
3. The respondent shall issue revised bill by deducting the said arrears.
4. No Order as to costs and compensation.

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

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

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