

Date of Admission. 07.08.2013.
Date of decision. 31. 10 .2013.

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD.

Case No. CGRF /AZ/U/465/2013/49

To,

1. Shri Vikas Chaudhary ,
C/O Veer Ragunath Bhanudas,
Sai Shrushti Apartment, Gut No.7
Majidiya Garden Golwadi, Aurangabad. **COMPLAINANT.**

VERSUS.

1. Executive Engineer,(Adm.) **RESPONDENT.**
Nodal Officer,
O&M Urban Circle,
MSEDCL, AURANGABAD.
2. M/s GTL LTD.T-9 IT Park,
MIDC, Chikalthana,
Aurangabad.

CORAM:

Shri V.B.Mantri Chairperson

Shri V.S.Kabra Member.

Shri S.K.Narwade Tech. Member.

REDRESSAL - DECISION.

The complainant is a consumer of MSEDCL & GTL since Date 07.05.2010 .
The complainant is builder & developer carrying out construction of row
houses & flats. The electricity connection is taken in the name of land

2013 / 49

Page 01/04

Owner shri Veer Raghunath Bhanudas. The complainant has paid security deposit paid Rs.10000/- for single phase connection. The complainant there after applied for additional Load of 3 phase (5KW) & it was sanctioned by respondent. Accordingly Complainant has paid Rs. 15000/- as Security deposit towards new 3 phase connection. The respondent installed meter having s.r. No 7611237817 mounted on pole and given three phase connection for 5KW load.

The respondent has issued bills as per temporary connection tariff instead of commercial tariff which is applicable for construction purpose. The monthly bills are not issued regularly since from date of connection 07/05/2010 to till today. The complainant was required to pay on account payment many times and therefore did not notice the incorrect tariff levied in the bills.

The complainant has requested to disconnect the supply permanently on completion of construction activity in Dec2012.The complainant has also requested to issue final bill by adjusting previous bills issued on average basis. The respondent GTL asked to pay last bill up to Dec2012 and assured to issue final bill by adjusting average bills. Accordingly complainant has paid bill of Rs.55660/- on 02/01/2013 and submitted application for permanent disconnection on 04/01/2013. Accordingly the respondent GTL disconnected the supply permanently on 04/01/2013.The respondent continues to issue the bills even after permanent disconnection on average basis. The respondent GTL neither issued final bill, revise bill nor refunded the security deposit of Rs.25000/- till today.

The complainant filed grievance before IGRC GTL since the respondent has not revised bill as per actual meter reading nor refunded the security deposit. The grievance of complainant is that, the IGRC has issued the vague and nontransparent order.

Therefore the complainant has filed the complaint before forum and prayed to issue copy of CPL from date of connection till date of P.D., to revise Bill as per actual reading and to refund the security deposit Rs.25000/- with interest. Complainant also requested to pay cost Rs.15000/- as deficiency in service & cost of filing the grievance.

The respondent GTL submitted in reply that, the complainant has never disputed regarding the units charged rather he has paid all the bills. The respondent GTL submits that, during the period May2011 toJan2013 two meters were in service and found burnt, thereby final reading of meters is not available.

The complainant was approached IGRC, after hearing the consumer; IGRC has passed the order on 08/07/2013 as “revised bill will be issued for the period May 2011 till Jan2013 as per commercial tariff and all bills from Feb2013 onwards shall be quashed”. The GTL has also assured to refund the security deposit after observing all necessary formalities. As per supply code consumer has to apply for refund of security deposit along with original receipt. The complainant has not applied for refund of security deposit. The IGRC order also specifies the grievance related to period prior to May2011 not pertains to GTL which will have to be redressed by MSEDCL.

The GTL further submitted that, two meters were in service for period may2011 to Jan2013 are found burnt and the bill of above period is revised as per commercial tariff instead of temporary tariff. The tariff difference calculated amounting to Rs.32333.98/- for 6487 units in 32 months which are already charged in regular bill. The above amount will be refunded to consumer within one month. The GTL has submitted CPL and revision statement before Forum.

The respondent MSEDCL has not filed the reply regarding the dispute for the period prior May2011.

The forum followed and pursued the CPL and revision statement. The forum also verified the record placed before by both the parties. It is seen that, the complainant agreed, he never complained about the incorrect bills or about application of tariff till disconnection. The complainant approached IGRC and IGRC has redressed the complaint, considering total billed consumption up to disconnection dividing in 32 months since meter was burnt and bills issued after disconnection to be quashed. Therefore the decision of IGRC is hereby up held. The forum has also noticed that, the grievance is redressed by GTL pertaining to their period as per IGRC order. The refund towards revision of bill for Rs.32333.98/- is also given and assured to refund the security deposit on application of complainant.

The respondent MSEDCL has not submitted reply nor is the grievance redressed pertaining to their period 07/05/2010 to Dec2010. The MSEDCL could have also settle the complaint on the basis of per month consumption i.e.202 units per month **(6487units/32 month)** as revised by GTL. The forum there by proceeds to pass following order.

O R D E R

1. The grievance is partially allowed.
2. The respondent MSEDCL to revise bill for period 07/05/2010 to Dec2013 as per consumption 202 units per month within 15 days from issue of this order.
3. The respondent 1 & 2 to refund security deposit with interest@ 12% p.a. on application of complainant within 15 days
4. No order as to cost.

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

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

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

2013 / 49
Page 04/04

