

(A Govt. of Maharashtra Undertaking)

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Consumer Grievance Redressal Forum

“Vidyut Bhavan”, Gr. Floor,

L.B.S.Marg,Bhandup (W),

Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/132/75

Date: 13.6.2017

Case No. 132/2017

Hearing DT 09/05/2017

In the matter exorbitant and excessive bill issued to the consumer in Feb.2015

Mrs. Meena R. Thakkar

Shop No A-18, Gavrav Annex Road,

Mulund west, Mumbai-400080

- **Applicant**

Vs.

M.S.E.D.C.Ltd., Survoday Sub Division

- **Respondent**

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri. Anil P. Bhavthankar, Chairperson, CGRF, Bhandup.
- 2) Shri. R.S.Avhad, Member Secretary, CGRF, Bhandup.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

Mr. Jagannath Kamath - Consumer Representative

C - On behalf of Respondent

Shri. Jadhav, Addl. Executive Engineer, Sarvoday Sub-Division.

Consumer No. 0000909873423 category 04 LT II commercial single phase Sanction load-1KW

SL-1 KW date of connection 21.10.2011

1. Above named consumer filed this complaint against the respondent utility and raised the dispute about exorbitant excessive bill issued by respondent utility for amounting Rs. 1,24,744/- in the month of March 2015. Consumer submitted that under the threat of disconnection entire amount is paid by consumer. Consumer further raised grievance that since march 2015 consumer requested to respondent utility to change the meter but no response received from the respondent utility office again in the month of Nov. 2016 consumer received the bill for 230 unit mentioning the status of faulty meter and previous meter reading calculated 21098 current

reading shown 46608 again in the month of December consumer received the bill in the unit 260 unit the reading was shown in 46348 showing the meter 46608. Therefore consumer raised grievance against the respondent utility raised the incorrect bill in the month of March 2015 and Nov. 2015 .Consumer pray for refund of excessive bill paid in the month of March 2015 on subsequent happening of event. Initially consumer raised the dispute on Schedule 'X' before IGRC on 05.11.2015. IGRC after receiving the said complaint issued notice on hearing on 27.11.2016 and give opportunity of hearing on 19.12.2015 but IGRC failed to decide the dispute within stipulated time of 2 month therefore consumer approach to the Forum and lodged complaint in Form No. 'A' on dated 07.02.2017

2. After receiving the said complaint notice was issued to the respondent utility. After receiving the said notice respondent utility appeared and filed reply on 08.03.2017. Respondent utility submitted that consumer Meena R. Thakkar having consumer No. 0000909873423 meter No.01181198 supplied for commercial purpose sectioned load 1KWkw final reading recorded on the meter Feb.15 billing unit 8395. The consumer was billed 181 units only thereafter the spot inspection report on the site and the report is filed on 11.02.2015. The reading filed recorded on the meter 18667. The correct reading of consumer has signed and verification report at that time he agreed for the same. According in the month of March 15 the consumer was billed for 10630 unit there as the actual reading recorded on meter and therefore the bill issued to the consumer in March 2015 for amounting Rs. 1, 24,744-/. Respondent utility submitted that the case was detected photo edit scam and FIR was lodge in Mulund police station bearing FIR No.94/15 on dtd.24.02.2015 as per section 420,465, 467, 468, 470, 471,34. Thereafter the copy of CPL was credit and observed before photo edit scam the period Feb. 13 to Feb. 2015 average consumption was found 210 units/month . The consumption pattern recorded about the said consumer for the period April 2015 to September 2015 found 306 units/month. Thereafter the respondent utility office gave benefit to the consumer after raising the grievance of excessive bill to March 2015 and office prepared credit B-80 for amounting Rs. 6155/- for 24 months and split up of accumulated units . Therefore now there is no grievance with the remain with the consumer. Respondent utility pray for dismissal of complaint with cost. Respondent utility filed copy of testing report and inspection report before 11.02.2015, copy of CPL ,copy of B-80. I have perused the document filed by consumer and the respondent utility and carefully considered the same.

After perusing the rival contention of consumer and respondent utility following point arose to our consideration to which I have recorded my finding to the point further reason given below

- I. Whether respondent utility is entitled to recover accumulated unit recorded in the month of March 2015 for amounting Rs. 1,24,741/-.
- II. Whether consumer is entitled for any refund of bill amount paid against the bill Feb. 2015.
- III. Whether consumer was entitled for any other relief.

Reasoning

3. I have given opportunity to consumer and his representative who appears before the Forum for hearing. The dispute was considered by this Forum minutely it is pertaining to note that this consumer involved in photo edit scam case. The refund of the claim by the consumer of March 2015 is the period under the photo edits scam case. According to respondent utility consumer already given benefit and split up the bill credit B-80 Rs. 6155/- divided in 24 months. As such the consumer was already received the benefit of accumulated meter reading recorded and claims by the respondent utility in the bill March 2015.
4. It is pertaining to note that after the grievance is raised by the consumer the meter tested on 11.02.2015 .The endorsement on the meter shows that the shop was closed however the reading on meter recorded and informed to the consumer.
5. For resolving the dispute the copy of CPL and consumption pattern of this consumer was verified even prior to photo edit scam period and subsequent period actual consumption use by this consumer and unit recorded on the meter. Respondent utility submitted that the benefit of splitting of bill accumulated meter reading recorded already given by splitting up Rs. 6155/- in 24 month as such actual benefit of B-80 already received to the consumer. The consumer mainly raised the dispute of recording accumulated reading subsequently in the month of November 2016 and claiming the refund of amount paid against the bill Feb. 2015. On other hand the consumer is trying to receive the benefit which is not at the fault of the respondent utility and therefore there is no prime- facie dispute found by this Forum. It is observed during the hearing that the consumer mainly relied the copy of CPL and the subsequent event in November 2016. To my view the consumer cannot received the benefit of subsequent fault alleged to be happen in his case. Therefore I have found no reason in the grievance raised by the consumer entitle for refund of bill amount paid in Feb. 2015. It appears that consumer taking benefit of less meter reading recorded and communicated to the consumer on subsequent and earlier period. Therefore to avoid any contingency the consumption pattern of actual consumption use by the consumer entered period of Feb. 2013 to Feb. 2015 and further

period was considered the average consumption use 306 units per month as respondent utility submitted the copy of B-80 given on 6 March 2017 and benefit was already given to consumer and therefore I found no substance in grievance on this consumer. Hence consumer disentitled any relief. I proceed to pass following order.

ORDER

The consumer complaint 132/2017 is stands dismissed.

No order is the cost.

Both the parties should be informed accordingly.

Proceeding close.

The compliance should be reported within 45 days.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, and Bhandup.

Note:

1) If Consumer is not satisfied with the decision, he may file representation within 60 days from the date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

**The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051**

2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

(I Agree/Disagree)

(I Agree/Disagree)

**DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP**

**ANIL P. BHAVTHANKAR
CHAIRPERSON
CGRF, BHANDUP**

**RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP**