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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/

Date

Case No. 641

Hearing Dt.10.02.2016

In the matter of billing

Mrs. Kalpana Eknath Bhoir

- Applicant

Vs.

M.S.E.D.C.L. Shil Sub Division, Thane - III

- Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

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

B - On behalf of Appellant

- 1) Shri. Prakash Tayde – Consumer Representative

C - On behalf of Respondent

- 1) Shri. Kale Addl. Executive Engineer, Shil Sub Division.

ORDER (Passed on 10.03.2016)

1. Above named complainant filed this complaint against respondent utility MSEDCL, Shil Sub Division regarding the 'rebilling' from the date of connection by respondent utility. The above said consumer is having residential connection having consumer No. 000460952544, used for the residential purpose only.

It is allegation of the consumer that the bill issued in month of April 2015 was revised and slab benefit was given for the period from February 2014 to March 2015. Credit adjustment amounting to Rs. 3425.22 was effected in bill for September 2015.

After receiving of the said bill in March 2015, consumer approached IGRC and raised his grievance (vide compliant No. 25/2015 on 14.08.2015). IGRC authority gave opportunity of hearing to consumer.

Respondent utility appeared and filed the reply stating that the study of CPL and images of meter submitted by agency reveal that bills issued for period Feb-14 to March-2015 are not as per actual consumption.

Hence, bill issued in month of April 2015 revised by giving slab benefit for the period from Feb-2014 to March 2015 and credit adjustment amounting to Rs. 3425.22 was effected in bill for September 2015. It is requested to direct appellant to pay bill issued after revision.

2. Thereafter IGRC gave instructions to follow revised SOP for billing complaints as per Commercial Circular 224 strictly.
3. Being aggrieved by said order of IGRC, the consumer filed complaint before this Forum on 19.1.2016 for revision of the bill for Mar-2015, by giving slab benefit for period from Feb.-2014 to March 2015.
4. Accordingly, the notice was issued to the respondent utility. After service of notice respondent utility appeared and filed its reply.
5. Consumer filed the copy of IGRC order, letter issued to consumer on 21.10.2014, copy of provisional bill and notice.

5. We have perused all document filed by consumer as well as the respondent utility. After perusing the rival contentions of consumer and respondent utility, following points arose for our consideration:

1. Whether the consumer has any cause of action surviving today?

We answer the question negatively for the aforesaid reasons.

Reasons

6. We have perused reply filed by respondent utility. We have verified CPL filed by consumer complainant.

The dispute was of recovery of accumulated bill for Feb. 2014 to March 2015. The consumer prayed for average monthly bill. The utility prepared and issued the revised bill. The consumer prayed for adjustment of extra payment if any. Accordingly respondent utility was directed to split of the accumulated bill and credit adjustment giving slab benefit to consumer for the period Feb-2014 to April 2015. Accordingly in the month of September 2015, after adjustment, credit for Rs. 3425.22 was already given to the consumer.

Therefore it shows that the consumer already is given benefit in the month of September 2015 by calculation of normal average units. Hence, no cause of action survived.

Consumer compliant stands dispose off.

6. Hence we proceed to pass the order as follows:

ORDER

1. The consumer complaint No. 641/2015 is stands dismiss.

Proceedings closed.

Both the parties be informed accordingly.

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

Note:

- 1) If Consumer is not satisfied with the decision, it may proceed within 60 days from 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**