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Consumer Grievance Redressal Forum  
"Vidyut Bhavan", Gr. Floor,  
L.B.S.Marg,Bhandup (W),  
Mumbai – 400078.

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

Date

**Case No. 61**

Hearing Dt. 23.08.2016

**In the matter of re-connection of supply and revised correct bill**

**M/s. Shanti Enterprises**

- **Applicant**

Vs.

**M.S.E.D.C.L. Koperkhairi Sub Division**

- **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.

B - On behalf of Appellant

- 1) Shri. Choudhari Mujeeb S. Consumer Representative

C - On behalf of Respondent

- 1) Mrs. Swati Deshmukh, Assistant Accountant, Koperkhairi Sub division.

**Consumer No**

1. Above named consumer filed this complaint against respondent utility alleging that his consumer of respondent utility having consumer No. 000158901161 acquire electricity supply to the premises Shop No.13/210, Sector -1 Ghansoli, Navi Mumbai. The consumer was paying regular bill which is issued by respondent utility it appears till feb 15. Thereafter consumer receives demanding exorbitant reading mention in the bill when there is no connecting load. After receiving the said bill along with notice of disconnection dated

04/03/2016. Respondent utility demanded bill for amounting Rs. 10, 79,220/-. After receiving the said bill consumer approach to the respondent utility Executive Engineer, MSECL Vashi on 18.09.2016 and raised the dispute consumer request to the check the meter and **photo** reading status of the meter and calculate unit correctly. Consumer gave incorrect bill claim by the respondent utility shall the period March 15 to July 2015 claiming unit in march 15-1922, April15- 63281, May 2015 – 6851, June 15- 6327 and July 15 2935 units. According to consumer earlier reading of consumption on the said meter since March 2015 to in between against 500 to 600 units per month and the said connection. According to consumer used for the fire fighting from which is rarely used according to consumer collective unit 63821 seen the respondent utility till the period March 2015 to July 2015 for 5 month are exorbitant and not correct. Consumer objected photo image scan of reading meter and claim as per regulation No. 15.4.1 in view of supply code Regulation 2005 with the meter is defected the bill shown be generated and revised as per earlier consumption period of March 2015. Consumers attach the provision of regulation No. 15.4.1 for reference and filed this complaint .Earlier consumer approach to IGRC cell and raised the dispute, it appears that IGRC Cell nor decided the said complaint within stipulated period of 2 month. Therefore the consumer approach to this Forum and filed his grievance in Schedule 'A' 19.07.2016. The case is register as complaint No. 61/2016 and notice was issued to the respondent utility. After service of notice respondent utility appeared and filed reply along with copy of CPL on 29.07.2016. It is contention of respondent utility the reply is already submitted to IGRC cell MSEDCL authority issued corrected bill as per the photo meter reading no additional charge claim .The meter was disconnected by giving proper notice due to non-payment of energy bill. The detail say filed on 05.08.2016 mentioning the respondent utility corrected bill as per photo reading of to December 2014 the reading was not taken and from Jan 2015 the reading was taken properly. The respondent utility gave table of calculation of reading

from Jan. 2015 to July 2015 accumulated consumption recorded as per reading in Jan. 2015 -56845 the consumption shown as photo reading to average wrong billing of the consumption patten of last 3 months. After checking it is observed the load is the used for the lift and stair case on the meter fire pump in April 2015. After confirmation of his consumption meter reading 79893 was punch which is corrected total unit calculated 79893 units was consume was August 2013 to April 2015 i.e. 3424 units/month for month for 19 month. According to utility the patten of the consumer no 000158901153 meter is used for lift and water pump 50 unit /month till June 2015 i.e. till the disconnection of the meter of fire pump, from August 2015 approximately 5000 unit those fire fighting pump rarely used meter show consumption for lift and stair case which is correct and shown the bill are as per the actual consumption meter reading is not fake of as per the contention of consumer his taking earlier advantage of using of said consumption of the meter of fire fighting pump which is actually found used for lift and water pump & consumer not inform the said fact at earlier point of time when other bill for existing meter pay by the consumer. Therefore the dispute raised taking advantage of meter used for firefighting pump. The said consumer complaint it is liable to be dismiss with cost. Respondent utility filed photo reading copy of the meter and copy of CPL. I have given opportunity to the consumer and his representative as well as to the respondent utility representative appear before this Forum.

2. After perusing the rival contentions of consumer and respondent utility, following points arose for our consideration:

A] Whether respondent utility justified demanding accumulated reading of arrears of meter bill consumer no. 000158901161 for amounting Rs.1079220/- for the period Jan. 2015 to June 2015.

B] Whether consumer is entitled for any relief.

### **Reasons**

3. It appears from the dispute the consumer received accumulated reading bill on the said meter which was recorded by respondent utility. According to respondent utility the accumulated reading was not calculated up to December 2014, but in the month of Jan 2015 when it is notice the reading on the said meter was checked and verified. It is reveal that the reading recorded on the said meter and load is connected for lift .stair case and water pump. To supports this contention respondent utility filed copy of inspection report, It appears from the record the actual meter reading existing meter was not recorded properly. When it is came to the knowledge from Jan. 2015 the meter was check and actual reading unit recorded on the meter was verified by respondent utility. The photo scan copy filed by respondent utility on various date from Jan. 2015 onwards shows actual consumption as found recorded use of the said meter for fire pump but it was additional connecting load. Report dated 10.04.2015 filed by additional Engineer, MSEDCL indicate connecting load and sanction load actual reading recorded on the meter 59711. According to utility they said unit was not charge to the consumer. The respondent utility filed copy of CPL form Jan. 2008 it is pertaining to note consumer since the date of installation of meter not verified actual reading recorded on the meter than existence other meter in the said premises and the reading was recorded this consumer never objected. The connecting additional load used for the lift and stair case. According to consumer he was paying regular bill having consumer No.000158901161 till April 2015 objection raised by the consumer for the first time on 01.04.2016 when accumulated bill as per the reading of the meter was accu-check, copy of CPL verified and actual consumption recorded on the said meter for check 69211. Thereafter the bill demanding arrears was generated as per the regulation is the proper billing as per the recorded unit is not calculated old arrears accumulated can be recovered under section 56(2) only for 24 months. Here the dispute raised by the consumer in April 2016 when the arrears

demanded under the threat of disconnection. Respondent utility submitted that the supply was already disconnected after giving proper legal notice for nonpayment of bill. I found contention of the consumer since the demand was generated the bill was not paid. Even at the time of the hearing consumer failed to submit any receipt towards any payment is made, hence issuing of legal notice demanding arrears as per accu-check reading on the meter the consumer used the said consumption those the meter wither used for fire fitting instrument. I found the contention of the consumer is not correct the fire fitting instruments use rarely in case of emergency only, but actual consumption use adding connecting load for the purpose of lift and stair case which is parallel verified and recorded. Respondent utility already submitted actual reading from Jan. 2015 to July 2015 and consumption pattern verified in view of the said contention revise corrected bill was issued. Considering subsequent use of Electricity consumption by which consumer recorded on consumption of meter no. 000158901153 and in the month of august 2015 approximately 5000 unit per month was used for said purpose. Therefore respondent utility made correction in the record and demanded bill properly. I found objection raised by the consumer which could not be independently proved its falsity, therefore consumer complaint filed the section in view of regulation and SOP 2005 the arrears accumulated unit recorded can be demanded for 24 months when it is notice. Here in this case accumulated reading is since Jan. 2015 and it is not beyond 24 months considering nature of dispute and accumulated bill demanded first time in the month of April 2016 may seek heavy burden therefore consumer entitled for reasonable installment in payment of accumulated arrears bill. In the fair interest of justice I am in client to grant 8 equal monthly installment calculating revised unit bill equivalent monthly consumption recoded for subsequent month. The respondent utility shall not charge any interest and penalty. On the issue I found no force in the contention of consumer hence consumer hence consumer complaint is liable to be dismiss with cost. Hence, order.

## ORDER

1. The consumer compliant No.61/2016 is dismiss with cost.
2. Consumer is directed to deposit accumulated arrears bill in equal 8 monthly installment without charging interest and penalty

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**

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

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