

(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.

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

Date

Case No. 558

Hearing Dt. 31/12/2014

**Shri. Dr. Uday Thanawala**

- Applicant

Vs.

**M.S.E.D.C.L., Vashi Sdn.**

- Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

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

B - On behalf of Applicant

- 1) Shri. Dr. Uday Thanawala, Consumer
- 2) Shri. A. A. Petkar

C - On behalf of Respondent No. 1

- 1) Shri. S.G. Kasabale. Assistant Accountant, Vashi sdn.

## ORDER

Dr. Shri. Uday Thanawala consumer No. 000481736901 and Mrs. Sanjana Uday Thanawala Consumer No. 000481736919 have filed this compliant. For above receiving excess bill in the month of November 2013 amounting Rs. 18860/- and 26890/- . It is contention of consumer is legal and valid consumer of Respondent and occupying premises flat No. 704 and 705 in the Basera building Plot No.11, Sector No. 17, Vashi, Navi Mumbai. It is reported that Meter No 7613541255 is installed in the premises he reported that in the month of 2013 consumer received excess bill and reported the

matter to Dy. Executive Engineer, MSEDCL, Vashi Sub Division, Navi Mumbai after receiving the said complainant excess billing on to meter also another meter no. is 9001373828 which stands in the name of Mrs. Sangana Uday Thanawala, suddenly in month of November received excess bill for there resident premises. All utilizing existing unit 2261 adamantly connecting load is 3.00KW Index no 51. Since 19/02/87 document filed along with compliant included copy of electricity bill for November December 2013 and January 2014 which is perusal by Forum.

It is submitted that consumer has deposited disputed bill amount for the months of December, January, February. Payment receipt for the said bills are enclosed. It appears that total amount of bill arrears shown deposited by consumer for both the meter vide receipt and the deposited receipt shown amount Rs. 14820/- deposited by cheque dt. 09/01/2014 amount Rs. 13500/- deposited on 12/12/2013 and amount Rs. 22260/- deposited on 09/1/2014 as such respondent office received the said amount.

It is submitted that after the compliant was received, the meter was tested and meter testing report is filed but shows arrears present at stage 1 to 5. However meter testing report is not filed nor copy of the report is issued to consumer.

It is also submitted that after installation of new meter the consumer received current bill showing the average consumption of unit within the range of 150 to 815 unit and was paid regularly by the consumer.

Today on 31/12/2014 consumer along with representative appeared before Forum Senior Account Officer for Vashi sector -2 Navi Mumbai representative of Executive Engineer appeared and produced CPL of the consumer against the meter in dispute. After discussion and documents on perusal of produced by consumer and Senior Account Officer it came to conclusion that there was excess bill in the month of November. December 2013 and in the month of January 2014 showing arrears was not found satisfactory. Also the reason of investigation and testing of the given is not satisfactory.

To our view consumer who is regularly paying the billed, suddenly charged for excess bill cannot be blame and charges could not be recovered without his fault. However after perusing CPL and the bills issued to consumer it is seen that in the disputed bill consumer might have seen used excess units which is restricted to the limit of sanction load of 3KW for domestic purpose and maximum unit of to 1000 can be charged against the consumer 1000 units can be charged against the consumer No. 000481736919 Mrs. Sangana Uday Thanawala and 800 unit per month to the consumer No 000 481736901 Shri. Uday Thanawala for use of unit during disputed period.

Therefore respondent MSEDCL authority could be entitled to recover maximum tariff on connected load 3KW for residential premises for maximum possible limit of 1000 unit in consumer no 000481736919 Mrs. Sangana Thanawala and next meter 800 unit for consumer No 000481736901. Shri. Uday Thanawala charged in addition to other charges entitled to recover in consumer as consumer already deposited entire amount the respondent MSEDCL authority entitled to deduct the calculation of amount and other charges of dispute period for the month of November and December restricted to the limit of 1000 unit for month no instruct in penalty is recoverable for consumer therefore I produce to as following order.

As per opinion of MS the Analysis Report of Executive Engineer(T) MSEDCL, Testing division Vashi tested Meters serial no 13541255 and 1373828 single phase meter are tested for 100% and 10% unity power factor (accuracy), 100% and 20% 0.5 power factor (accuracy) Meter percentage error 1 to 5 are within permissible limit and evaluation is pass the reading recorded by the meter and reading punch on the bill are same of both meters for month of November 2013 -December 2013and January 2014. Meter and energy bills both are correct. Hence units consumed by the consumer are correct, consumer is bound to pay energy bill as per actual meter reading recorded by the meter and energy bill issued for said duration. The consumer might have connected more load on both meters in one premises during this disputed

period. if consumer not paid bill as per actual meter reading there should be loss of MSEDCL consumer paid energy bill and should not refund.

## **ORDER**

The complainant of consumer about excess bill is allow

- 1) The respondent with entitled to recover bill restricted of 1000 unit and 800 unit as above in the disputed period of the November, December 2013 with other charges no penalty and interest is payable
- 2) The respondent shall deduct the amount for recover from the deposit amount for recover from the deposit and remaining payable amount to the consumer shall be adjusted in future bill till deposited amount is exhausted.
- 3) The respondent shall pay cost of Rs. 1000/- to the consumer and bear his own.
- 4) The respondent shall comply the order and required to show adjusted amount in future bill regularly and report the same.

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, on 8<sup>th</sup> January 2015.

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**

**SHRI. ANIL P. BHATHANKAR  
CHAIRPERSON  
CGRF, BHANDUP**

**SHRI. S.B.BHALSHANKAR  
MEMBER SECRETARY  
CGRF, BHANDUP**