

**A Govt. of Maharashtra Undertaking)**  
**CIN : U40109MH2005SGC153645**

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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. 570

Hearing Dt. 10/02/2015

**Mrs. G.V.Patil**

- Applicant

Vs.

**M.S.E.D.C.L., Airoli 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 Appellant

- 1) Shri. Suraj Chkrabourty – Consumer Representative

C - On behalf of Respondent

- 1) Shri. S.A. Sarode, Addl. Executive Engineer, Airoli sub division

**ORDER (19/02/2015)**

Above Named complainant filed this compliant against respondent Executive Engineer O&M Airoli Sub Division stating that applicant is having LT connection having consumer No. 150206588/5. Since date of connection is 25/05/1985 sanction load 1.20 KW connected load 1.20KW of the category of 0.1 LT-I Res-III phase. Its load from 1.2 KW to 3.25 KW additional load of 3.8 Kw. Show got sanction on 22/10/2012 vide sanction order No. DyEEAiroli/T-3147 with form quotation 18,100/-. According to consumer her premises were vacant for two year of April 2014 in the month of July 2014. She received bill of Rs. 1,64,730/- in two month bill cycle claiming arrears. According to consumer. He received exorbitant bill and therefore she made compliant. It is also submitted

that 3 phase meter was installed in premises since July 2014. She made complaint to MSEDCL about installing 3 phase connection and meter at the time of installation of this 3 phase meter her signature was not obtained and also letter is given to Executive Engineer on 12/12/2012 requesting not to install 3 phase meter. Even than 3 phase meter was installed and in the month of July 2014. She received exorbitant bill.

After filing this compliant utility appeared and submitted that consumer applied for additional load from 1 ph 1.2Kw to 3 ph 5KW and additional load of 3.8 KW was sanctioned on 22/10/2012 vide order No. DyEEAiroli/T-3147 vide receipt No. 0684735 and connection was release on 06/11/2012.

After additional load sanctioned wrongly PD was fed but consumer was live and was unbilled from February 2013 to July 2014. Accordingly utility issued bill from the month of March 2013 to June 2014 for amount Rs.1,78.090/- for 16 months and actual unit consumed by the complainant was 20490. Accordingly consumer is liable to pay the said charges.

Nodal Officer, IGRC after giving appropriate hearing to both side on 27/11/2014 Executive Engineer, Nodal Officer passed order where by consumer required to pay demanded bill as per the actual utilization of unit recorded in the meter. Reasonable installment was also granted by giving direction the deposit to current bill regularly.

After passing the said order consumer being not satisfied with this order filed this compliant stating that utility issued the bill in the month of July 2014 for alleging using of 20,450 units. During pendency of this dispute utility urgently made disconnection of supply without giving the notice and forced consumer to deposit 50,000/- and obtained undertaking forcefully. After filing the said compliant before this Forum, Notice was issued to opponent MSEDCL. after service of Notice respondent appeared and filed reply on 29/01/2015. In support of the reply respondent relived and filed document sanction order date 22/10/2014, deposit receipt dated 30/10/2012 for amounting Rs. 18,100/-, demand quotation dated 22/10/2012, installation check report dated 21/07/2014 and 15/06/2014 copy of CPL undertaking/ application given by consumer dated 12/12/2012, copy of inward registered request letter given by consumer representative dated 26/11/2014, photo copy of meter DTC Consumer submitted copies of demanding bill dated 30/10/2014 May2014, June 2014, July 2014 and copy of CPL.

I have gone through document, reply filed by respondent. In brief consumer challenging the issuing demand bill in the month of July, directing him

to pay amount of Rs. 1, 64,730/- stating that premises is not in use from February 2013 to April 2014 and No. 2 giving application to respondent for not installing 3 phase meter and actual consumption of unit was exorbitant.

After hearing the dispute I have given opportunity to consumer and his representative to convince for intimation or any document to show about premises was reacted. Secondly, installation of 3 phase meter which was not under the intimation the consumer.

To support this contention respondent filed document gate pass dated 31/10/2012, inward, outward registered showing the entry of issuing the meter for installation inspection report of releasing the meter and replacement dated 16/11/2014 and installment given by Junior Engineer.

After perusing those documents it appears to me that request of additional load made by consumer was duly sanction by compliant authority order is issued for sanction of additional load proved and documented. Hence, I accept the same. Once the replacement of meter at the request of consumer is complied, he cannot reverse his request without giving proper intimation to respondent, Document filed by respondent show that old meter is replace and new meter is installed from the date of new installation of meter respondent. MSEDCL allowed to recover the bill actual used by the consumer. Meter replacement report which is duly signed by complaint authority transfer my confidence to hold that new meter was showing the meter reading of old meter which was also recorded to required computerized data and new meter and reading of old meter which was recorded 0.22364 and condition of meter shown OK.

The reason of issuing bill for the month of 15/06/2014 to 15/07/2014. The reason given by respondent as wrong PD entry was made in data and therefore actual consumption was not recorded and the bill was issued charging minimum unit to the consumer. It was statistical error. From this it could be seen that this is not a unbilled case but wrongly applying meter minimum recording unit the consumer was issued the bill.

As per the Rule and Regulations of amended MERC Rule of 2006. the consumer was charged. Since March 2013 to June 2014 as per calculation of actual reading 25130 shown on the meter which is spread over for the above said period for month calculation of 1570 unit as such under this dispute the consumer is liable to pay actual use of unit of 25130 which is calculated by respondent and clarified under this dispute appears to be correct.

I am of the opinion that the consumer is not liable to pay DPC and interest on the said amount. Therefore the dispute raised by consumer is pragmatics found not satisfactory and it is required to be dismissed with cost.

I found that under protest consumer has already deposited amount of 50,000/- already deposit on 26/11/2014. The record show that in the hearing before IGRC consumer agreed to pay and deposit amount of Rs. 50,000/- which was considered by Addl. Executive Engineer. The consumer representative submitted that Addl. Executive Engineer has no authority to inspect the premises and consider the dispute for want of power generally used by Executive Engineer. This objection is unnecessary and without any merit as Addl. Executive Engineer permitted t use the power of Executive Engineer and further no prejudices caused to the consumer. I found no substance in the complaint and therefore I proceed to pass following order.

### **ORDER**

- 1) Compliant No. 570 is stands dismissed.
- 2) The Respondent utility entitled to recover and calculated the amount of disputed period of 25130 unit for March 2013 to June 2014 disputed amount 1,78,090/- form consumer out of which amount Rs. 50,000/- which is already deposited required to be adjourned.
- 3) The respondent shall not entitle for any recover interest or DPC from consumer.
- 4) The consumer shall also be liable to pay current bill from July 2014 if it is unpaid.

Proceeding close.

Both the parties be informed accordingly.

The compliance should be reported within 45 days.

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.

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

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

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