

(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. 555

Hearing Dt. 03/03/2015

**In the matter of wrong billing**

**Shri. Shantilal M. Shah**

- Applicant

Vs.

**M.S.E.D.C.L., Bhiwandi, Torrent Power Limited, Bhiwandi - 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 Shantilal M. Shah, - Consumer

**C - On behalf of Respondent No. 1**

- 1) Shri. R.R.Beloskar, Executive Engineer, Nodal Office Bhiwandi.
- 2) Shri. S.K.Dhope, Assistant Engineer, Nodal Office Bhiwandi.

**ORDER (16/03/2015)**

1. Above named complainant has filed this compliant against the respondent through its Executive engineer, Bhiwandi stating that he is a consumer of respondent who had obtained Industrial 23 Hp connection since 01/1/1986 for running unit. It is contention of the consumer that he is occupying the said

premises for running the business on said address. His consumer no is 13010355413 IP. He also has one more connection for 1KW for office bearing consumer No. 13010355421.

2. According to consumer, he was running lighting twisting factory and the supply through the meter was for 23 HP since 01/01/1986. According to consumer, he made an application to the respondent officer on 07/06/2001 informing that the factory is closed for not having proper business and he requested to issue minimum bill. It is alleged that on 22/01/2001 he again made an application requesting for issuance of minimum bill and also to reduce the load from 23 HP to 18 HP and further reduce to 5 HP. According to consumer when there was actual use of load installed on the meter and the factory was close the respondent issued average bill. On 25/05/2005 he again made application to respondent vide letter Inward No. 892 and requested to issue him 5 HP connected reduction minimum bill on 06/06/2005. The respondent officer visited the premises and gave the report and supply of the cable disconnected in spite of respondent issued average bill continually on date 06/05/2004 paid Rs. 3000/- and Rs. 12000/-. In spite of repeated requests, no minimum bill was issued. Therefore the consumer made an application to the CGRF, stating his grievances. The respondent stated that as per inspection report, sanctioned load and connected load was reduced from 23 HP to 5HP from that day the actual use of consumption found on twisting IP meter. The proper bill was issued to the consumer and accordingly the supply which is connected to the Industrial connection on dtd. 08/04/2004 provisional bill was issued to consumer for actual units used (5942) and interest is liable to be paid from and bill for 94000 /- amount Rs. 12000/- paid from consumer prayed for consumer was rejected bill agreement by the said order the present consumer on 22/08/2012 after filing this compliant which was issued to the respondent.

Respondent was served with the notice. He gave para wise reply and stated that B-80 proposal of this consumer was forwarded to the Head Office for approval. Bill issued on average consumption to the consumer from April 2005 to September 2011. The utility demanded arrears as per the actual connect load of the said consumer, amounting to Rs. 97,961/- from September 2009 to April 2005.

3. We have gone through the said complaint of the consumer, documents, application to respondent dated 01/06/2001, application made to consumer dated 22/06/2001, reply given by respondent 06/06/2005, site inspection report dated 22/09/2001, previous bill dated 19/09/2005, B-80 report forwarded to Head Office on 17/12/2014 and proposal of revision of amount (Rs. 3, 45,762/-).
4. Today (06/01/2015) the respondent Shri. Beloskar, Executive Engineer appeared for respondent. He submitted that proposal is sent to Head Office. Rs. 3, 45,000/- with interest of 18% is liable to be recovered from the consumer complainant. Inspection report revealed that since 2001 actual units consumed were 5954 and units charged were 45117, amounting to Rs. 384780/- and 147751 respectively. Utility was directed to file actual calculation of principle and the interest schedule for the period under B-80 which was sent to the Head Office to assist the Forum to calculate excess and actual unit consumption made by consumer during the dispute period and his liability to pay the amount and the panel charges.
5. It is relevant that consumer did not request for permanent disconnection of Industrial supply connected to meter, neither the said supply of said consumer was disconnected from 2001 to 2005; therefore in the month of February 2002 the load found. The respondent utility also failed to take any action of permanent disconnection for payment of arrears of bill. Therefore

the consumer is not at fault. Therefore no interest no penalty shall be payable by consumer.

6. During the hearing the period of dispute is calculated and the unit also calculated as per the average use by the consumer for the period June 2001 to April 2005 which comes to 8479 units. At the stage consumer requested to calculate the amount payable by him till December 2014. According the total arrears which was raised and calculated till April 2005 principle amount claimed is Rs. 1,42,000/-; out of which actual unit which was calculated as per connected load and average unit consumed was calculated. It comes to Rs. 70,000/-. The charge required to be paid as additional charge permissible should be Rs. 7000/- as such here in this case consumer is required to pay arrears for average unit calculated for the period March 2001 to April 2005 for 8479 units and required to pay the charges.
7. Therefore I am inclined to allow the complaint for the period March 2001 to April 2005.

### **ORDER**

1. Consumer Complaint no. 555 is allowed.
2. The Consumer shall pay the average unit calculate for the period 8479 from March 2001 to April 2005.
3. The consumer shall be issued revised bill for these units spread over within the said period.
4. The consumer shall pay other permissible charges but shall not include any DPC and interest the amount Rs. 70,000/- plus other charge but shall not be added more than Rs. 7000/- for the disputed period.
5. The consumer shall pay the bill accordingly and after depositing the said amount application for fresh connection to be entertained in accordance with law.  
No order as to cost.

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.

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

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

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