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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. 600

Hearing Dt. 25.08.2015

In the matter of billing

Mr. R.J.Dhobi

- Applicant

Vs.

M.S.E.D.C.L., Kolshet Sub Division

- Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri. Anil Bavthankar, Chairman, CGRF, Bhandup
- 2) Shri. Ravindra S. Avhad, Member Secretary, CGRF, Bhandup.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Applicant

- 1) Shri. Satish Dhobi - Consumer Representative.

C - On behalf of Respondent No. 1

- 1) Mrs. Rachana Vaid, Assistant Accountant, Kolshet Sub Division.

ORDER (passed on 25/8/2015)

1. Above named consumer has filed this complaint against respondent utility. He has stated that he was having electricity connection to his premises at Nalphata Municipal Chawl, Near Krishna Classes, Thane; having Consumer No. 10957443. Date of connection is 28/7/1996. The said connection stands in the name of his father Shri. Ramji Narayan Dhobi. During the life time of his father Shri. Ramji Narayan Dhobi, electricity bill

was issued by respondent utility for the period 15.03.2000, 22.02.2000 to 22.12.1999, claiming Rs. 22,500/-.

2. His father Late Shri. Ramji Narayan Dhobi lodged a compliant to IGRC on which respondent utility made verification and submitted report on 04/02/1999. The consumer was receiving average bill since year 1999. The consumer lodged a complaint for receiving exorbitant bill. There after respondent utility verified the bill for the period 21.06.1999 to 22.12.1999 and as per actual meter reading the units were charged in the range of 1090 to 1199 during the period 06.09.1999 to 25.06.2001. Total units charged on 21 month average basis comes to 105 units and revision of the bill was done.
3. Since the original consumer died during pendency of application, present consumer filed compliant before the IGRC and raised dispute claiming arrears of the bill pending for the period 24.03.2001 to 24.04.2001 amounting to Rs. 35,940/-.

IGRC decided the said compliant after receiving reply from utility.

4. According to respondent utility original consumer Mr. R.J. Dhobi was consumer, having consumer No. 10957443 since 2/10/96. In the month of August 2002 as per CPL the connection was permanently disconnected. It is contention of utility that no grievance can be entertained after the period 2 years from the date of cause of action. Accordingly order was passed by IGRC.
5. Being aggrieved with this order, the present applicant filed compliant before this Forum on 04.04.2015 and prayed for revised bill as per actual consumption. He also prayed for installation of new meter. After filing the said dispute, Forum issued notice to respondent utility.

6. Respondent utility appeared and filed reply on 25.08.2015. It is contention of utility that the consumer was PD on 2002, and also no grievance can be entertained by Forum beyond the period of 2 year from the date of cause of action; as the consumer has asked for the revision of bill for the period 21.04.1999 to 22.12.1999. Since this present complaint is not filed within 2 years, this complaint of consumer is liable to be rejected.
7. Today both the parties- consumer & respondent utility Representative were present. We have gone through the documents filed by consumer, order of IGRC dated 25.03.2015, documents of earlier depute raised by original consumer.
8. After going through the record, admittedly the dispute is for the period 21.04.1999 to 22.12.1999. Thus the dispute raised for the above mentioned period now before this Forum is absolutely time barred. Also there is no document on record to show that present applicant Mr. Satish R. Dhobi is a consumer.
9. Therefore present applicant does not fall within the definition of consumer. Hence, unless there is change in the name of consumer, and the present applicant is taken on record as a legal heir of original consumer Shri. R.J. Dhobi the present dispute cannot be entertained.
10. Regarding the prayer for supply of new connection, the Forum here by directs that Shri. Satish Dhobi or legal Representative of Shri. R.J. Dhobi is at liberty to file an application for installation of new meter to the premises, along with relevant document, fees etc. as per procedure.
11. We found that there is substance in the contention of utility.

-The present applicant is not consumer within the definition of section (2) 3 of Regulation Act and

-dispute raised is beyond the period of 2 years.

Hence the complaint is liable to be dismissed

ORDER

- 1) The consumer complaint No. 600/2015 stands dismissed.
- 2) No order as to cost .

Both the parties be informed accordingly.

Proceedings closed.

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