



(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. 617**

Hearing Dt. 02.01.2016

**In the matter of wrong bill against permanent disconnection**

**Shri. Ghisulal P. Jain**

**----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.Ravindra S. Avhad, Member Secretary, CGRF, Bhandup.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Applicant

- 1) Shri.Shakeel Ansari - Consumer Representative

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.
- 3) Mrs. Hemangi Mayekar, Assit. Manager, M/s. Torrent Power Ltd. ,Bhiwandi.

**ORDER (Passed on 06.1.2016)**

**Consumer No. 13012160393 LTPG and 13012160407LT-2**

1. Above named complainant submitted that he is consumer of respondent utility having HT I commercial connection. Consumer had obtained connection for the purpose of running power-loom in the premises. The

consumer disputed the bill against both the connection for the period 2002 to 2007. According to consumer, respondent utility removed the cable and meter and discontinued the service to the premises since 19.05.2005. The reasons of disconnection as submitted by consumer is fire which took place at the premises on 28.01.2000. Consumer filed relevant documents about said incident before the IGRC cell. Consumer lodged complaint before IGRC stating that in spite of removal of meter the utility continued to issue the bill to the consumer and demanded huge arrears which is under the dispute for the period 2002-2007. It is prayer of consumer to wave off all the arrears of the bill at the premises and also prayed for new connection with extension of load. The said complaint is registered with IGRC bearing complaint No. 617 of 2016 on 24.04.2015 and IGRC gave the decision after giving opportunity to consumer and representative of respondent utility on 10/04/2015.

2. It is observed by respondent utility they said consumer service was discontinued and meter was cable was remove. thereafter spot inspection has taken of the premises 23.01.2015. After verification and report it is reviewed that the said premises. Therefore in no document copy of punchnama of Fire brigade report indicate. The said premises is defected due to fire even before this Forum no document copy of punchnama, police report or initial document filed before this Forum giving benefit to the consumer for disconnection of service to this premises. Therefore IGRC please to disconnected said report of consumer and refused to grant any relief.

3. Being aggrieved by said order the consumer filed this complaint on 30.10.2015. After filing the complaint, notice was issued to the respondent utility. Respondent utility appeared and filed reply on 21.01.2016. The fact of power taken place on 28.02.2000 and removal of cable and meter was confirmed. As per the record of respondent utility the service was permanently disconnected on 14.12.2000 . It is informed by the respondent utility that the service was transferred to TPL in the year 2007. The dispute raised by consumer is for the period of 2000-07. Therefore the consumer was directed to file necessary documents.
4. Respondent utility submitted that the cause of action arose much prior to the date of complaint, when the connection was permanent disconnected. However instead of paying arrears for six month during the period permanent disconnected service, no proper dispute was raised by this consumer. Now the dispute is raised by this consumer on the basis of document supplied by respondent utility against both the service connections. However the inquiry was made by respondent utility M/s. TPL and found that this consumer dispute raised by this consumer for the premises situated on ground and first floor. It is also seen that the address given by the consumer where the dispute arose is of old premises where disconnected service was found. On first floor there are arrears. However the service no 13011562106 installed at ground floor where complainant prayer for extension of load.
5. It is also seen from the documents produced by consumer that the list of textile companies affected by fire of Bhiwandi Nizampur Nagar Parishad dated 28.01.2000 does not contain name of present consumer. The

consumer has failed to file the documents in support of his claim despite the opportunity given to him.

6. The complaint made by the consumer before this Forum contains all vague allegations, mainly about rude behaviour of the officers of the utility giving rise to mental pressure, severe heart attack and the need for surgery.
7. In prayer clause consumer appears to blame the officers of the respondent utility and seeks justice against the attitude of the utility.
1. However we hold that the consumer failed to make any prayer which comes under the purview of this Forum.

It is also observed that the consumer has not made any grievance either before IGRC or before this Forum which comes under the jurisdiction.

2. PD arrears claimed, or the relief claimed about wrong billing is much prior to the beyond the period of 2 years.
3. It is also brought to the notice of this Forum by respondent utility that on the said premises (house No. 1005/A Panna compound, Kalyan Road Bhiwandi) there are various service connections in the name of family of the consumer.
8. The respondent utility informed about the status of the connection by way of data produced by them. We have perused the data filed by respondent utility before this Forum. It is the contention of respondent utility that the family business of Power Loom at the premises having service connection is under the dispute and there are huge arrears pending till date. Recovery of Rs. 70 Lakhs is yet to be recovered from the consumer and his family member. The consumer is a habitual defaulter of MSEDCL. The respondent utility thus prayed for dismissal of this complaint.

9. We have given proper attention to the dispute. We found that the dispute raised by the consumer is beyond the period of 2 years and cause of action not within 2 years.
10. However the relief which ought to have been claimed is not properly submitted before the Forum. It is not within the jurisdiction of this Forum to entertain the dispute of consumer in this case.
11. After giving sufficient opportunity of hearing to consumer and representation on dates fixed for the hearing since last six months. But no proper documents have been filed by consumer so as to enable us to entertain the dispute. Under these circumstances, we have no other option but to confirm the decision of IGRC and proceed to pass order of dismissal as follows.

### **ORDER**

1. The Consumer Compliant no 617/2015 stands dismissed.
2. No order as to the cost.

Both the parties be informed accordingly.

The compliance should be reported within 45 days.

Proceeding closed.

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**

**I Agree/Disagree**

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

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

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



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





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

