

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/

Date :

Case No. 376

Hearing Dt. 12/08/2011

Smt. Kantaben Kothari

- Applicant

Vs.

T.P.L., Bhiwandi

- Opponent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri S. D. Madake, Chairman, CGRF Bhandup.
- 2) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.
- 2) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Shri Roshankumar –Consumer Representative

C - On behalf of Respondent

- 1) Shri Deshpande, Ex. Engr/Nodal Officer, Bhiwandi.
- 2) Mr. Manoj Mahanubhav, Asstt. Manager (F&A), Bhiwandi.

The complainant has filed this complaint for getting credit of the amount which she had paid extra. The complaint was placed for hearing on 12/08/2011 Shri Roshankumar, consumer representative had come for the consumer and Shri Deshpande, Executive Engineer and Mr. Manoj Mahanubhav, Asstt. Manager (F&A), were presents on behalf of the utility.

Complaint in brief :-

The allegations made by the complainant are :

- i) The utility had collected a wrong bill from the complainant for 26306 units instead of 3969 units for the months of Jan-2005 till April-2005. Thereby the complainant has paid ` 1,11,685/- in excess. The complainant thus has prayed for refund of ` 1,11,685/- along with interest.
- ii) The utility has collected extra money from the complainant due to double billing for ` 2,36,631/-

Consumer say :

Shri Roshankumar, the representative of Applicant consumer was present to represent the case. He stated that the consumer having sr. no. 13542638235 & 13542638243 was billed by the utility wrongly in Jan-07. 1) The utility had collected a wrong bill from the complainant for 26306 units instead of 3969 units for the months of Jan 2005 till April 2005. Thereby the complainant has paid ` 1,11,685/- in excess. The complainant thus has prayed for the refund of ` 1,11,685/- along with interest.

2) The utility has collected extra money from the complainant due to double billing for ` 2,36,631/- when her use was converted from HT to LT in July 2002. This came to the notice of the utility during an audit on 15/09/2008. Though the utility has given credit for this amount on 26/12/2009, it has not given interest on the said amount to the consumer. The consumer has thus prayed for the interest on ` 2,36,631/- from July 2002 till date.

3) On 15/12/2009 the utility has given credit of ` 6,631/- But it has not given credit of the interest from July 2002 till 15/12/2009.

4) The utility had debited ` 377130/- in Nov 2007 and gave credit in Jan 2009, but failed to give interest on it.

The complainant had filed her grievance before the IGRC on 15/09/2010.

Utility's Say :-

Shri Deshpande, Executive Engineer alongwith Shri Manoj Mahanubhav were present at the hearing on behalf of utility. They requested for one week time to submit their say on the points raised by complainant regarding credit & interest on disputed amount but even after one week period the utility could not produce any relevant say or documents to quash the argument of the Applicant.

Observation :-

It is seen that the dispute has arisen due to wrong billing and non credit of the interest amount, which is dated July 2002 and Jan 2005.

The utility has given credit to the consumer in December 2009, which is the cause of this dispute. Thus, it is clear that the cause of action arose on December 2009, and is within the period of limitation.

This Forum is therefore granting the prayers of the complainant in the form of following relief:

Utility is ordered to refund :

- 1) ₹ 1,11,685/- along with interest @ the rate approved by RBI from July 2002 till full and final payment.
- 2) Interest on ₹ 2,36,631/- @ the rate approved by the RBI from July 2002 till full and final payment.
- 3) Interest charged on ₹ 3, 77,130/- from November 2007 till Jan 2009 should be waived.

ORDER

The relief should be given to the consumer as elaborated in the above observation.

No order as cost.

Both the parties should be informed accordingly.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 30/09/2011.

Note :

1) If Consumer is not satisfied with the decision, he may go in appeal 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 go in appeal before the Hon. High Court within 60 days from receipt of the order.

DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP

S. D. Madake
CHAIRMAN
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP