

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

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

Date :

Case No. 394

Hearing Dt. 05/09/2011, 16/09/2011
& 22/09/2011

Smt. Meena Anil Amre

- Appellant

Vs.

M/s. MSEDCL, Bhiwandi

- Respondent

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.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

Shri Shakeel Ansari –Consumer Representative

C - On behalf of Respondent

Shri A.L. Deshpande, Ex. Engr/Nodal Officer, Bhiwandi.

The consumer has filed this complaint aggrieved with overload penalty charges levied upon by the utility in the month of March 2005.

Though the complainant has failed to put up his grievance in detail in writing Forum has heard oral submission of Shri Shakeel Ansari, a consumer representative. As per his contention the utility should have followed tariff order 2003 of MERC, which states that *“until the installation of LT MD meters, overload penalty should not be charged”*.

It is grievance of the consumer that inspite of making payment of ` 10,000/- (out of ` 28,743/-) under protest, the utility has disconnected her supply on 06/01/2011.

The utility has filed its written say. It is submitted by the utility that meter no. 1052948 of the consumer became live in the month of August 2004 & average bill of 100 to 200 units was give to the consumer from August 2004 till January 2007. The consumer paid ` 1,000/- in February 2005. Thereafter though the consumer has availed of supply, she has not paid any charges till Jan-2007.

M/s. TPL then disconnected the supply on 06/01/2011 for the dues as the consumer paid only ` 10,000/- out of total outstanding bill of ` 28,743/-

It is also submitted by the utility that the consumer has never raised any dispute regarding low voltage supply.

Forum has heard both the parties & gone through the documents placed on record.

From the documents & also oral submission of the consumer representative, it is clear that the dispute dates back to the year 2004 to 2007.

The sole allegation by the Appellant during his oral arguments was that the utility should not have charged overload penalty in the month of March 2005.

Thus we are of the view that the complain is barred by limitation as per clause no. 6.6 of MERC (CGRF & EO) Regulations, 2006 which states that *"The Forum shall not admit any Grievance unless it is filed within (2) years from the date on which the cause of action has arisen"*.

The Forum therefore dismissing this complaint with no order as to cost.

Complaint no. 294 stands dismissed.

Both the parties to bear their own cost.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 13th of December 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