

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

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

Case No. 410

Hearing Dt. 19/12/2011

M/s. Neelship Society - Appellant

Vs.

M/s. MSEDCL, Bhiwandi - Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

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

B - On behalf of Appellant

- 1) Shri Amit R. Jadhav –Consumer Representative
- 2) Shri Deepak Jadhav–Consumer Representative

C - On behalf of Respondent

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

M/s. Neelship Housing Society (for the sake of brevity herein after referred to as the “complainant”) has filed this complaint before the Forum. Praying for settlement of bill alongwith recalculation of bill and withdrawal of interest & delayed payment charges.

Facts of the complaint in brief are as follows :

The Complainant is a registered co-operative housing society, having three phase meter no. being 9201916608, consumer no. being 013272358774, which was originally taken by Puranik Builders.

After formation of society (on 24/10/2001), the complainant started receiving bills under the category of three phase residential (in proof of which he has annexed electricity bills dated 21st March 2002).

Thereafter the category was changed to three phase commercial without any reason/intimation to the complainant till Sept-2006.

From November 2006 till March 2008, the category was again changed to three phase temporary. Once again from June 2008, M/s. Torrent Power Ltd. issued bill as three phase residential. In Jan-2006, the complainant received a bill for ` 1, 87,197.22 as "Adjustment". Despite request from the complainant, no clarification was offered by the MSEDCL about the "adjustment".

The complainant has alleged that this adjustment which is towards change in category is based on wrong notions & should be considered void, which automatically scrapes away the interest charged on it.

The complainant has prayed before this Forum to withdraw bill adjustment amount of ` 1, 87,197.22 & recalculate the bill for the period from Nov-2001 to Jan-2007 as per three phase residential category.

The opposite party has filed reply wherein it has empathically denied allegations of the complainant & need for revision of bill.

On going through the complaint & documents placed on record by both the parties we have noted that :

- 1) The complaint pertains to the period upto Jan-2007.
- 2) Presently there is no threat of disconnection.
- 3) The prayer is only regarding withdrawal of adjustment bill.

We are therefore of the view that since the complaint is of the year beyond two years, this Forum has no jurisdiction to entertain the same.

Thus, we dismiss this complaint for the reason it being beyond the period of limitation.

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

Note :

1) If Consumer is not satisfied with the decision, he may go in writ 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

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP