

Preamble

Shri Nitishkumar Nirmalkumar Kothari is having single phase electric connection for commercial use at Bldg. A, Gala no. 17, Shree Sambhav complex, Rahanal Bhiwandi. This Gala is used for godown purpose. The Applicant has purchased this Gala on 1st July 2006 and till March 2010 this gala was closed and was not in use. In this case utility Torrent Power Ltd has billed on average basis for 34,31 in month April & May 2007 and there after with 130 units / month till Dec 2007. The supply of consumer Applicant was disconnected for non-payment of arrears amounting to Rs. 13,723.95. Aggrieved with this Applicant rushed to this Forum and registered his grievance vide case no. 331. Accordingly hearing was fixed for interim order on 07/06/2010.

Consumer Say: -

Shri Niteshkumar Nirmalkumar Kothari, the consumer Applicant was present to represent his case. As per his statement the gala no. A/17 owned by him was purchased on 1st July 2006. He never use electricity till March 2010. but utility was billing him on average consumption for which he approach to utility so as to correct his bill as per reading. He also submit his grievance vide letter dt. 04/06/2010 to utility but no cognizance was taken. At last for the fictitious arrears his electric supply was disconnected by the utility and hence came to this Forum for immediate relief.

He shows his willingness for payment of bill if corrected as per readings.

Prayer of the Applicant:-

- 1) To restore his electric supply.
- 2) To rectify his bill as per readings.

Utility Say :-

On the behalf of M/s. Torrent Power Ltd. Smt. Sandhya Aiyer, the Astd. Manager (herein after will referred as to the Opponent) was present to represent the case.

The Opponent stated that the electric meter of this consumer was very old. In the early period of taking over from MSEDCL (DL) as a franchisee the mass drive was taken for replacement of old meters.

During those period consumer was billed on the established average basis. After due verification the bills were corrected of those consumer who approach to the Utility. In the present case consumer had never approach and hence bill could not corrected. The old meter of this consumer was replaced in Jan 2008.

The Opponent further stated that final reading of old meter was 803, which can be confirmed from the CPL.

During the course of hearing the Opponent assures to correct the bill as per readings and also to withdraw the interest, if charged. The Opponent agreed to reconnect the supply on payment of corrected bill.

Observation :-

The matter was heard on 7th June 2010. Both the parties were present. Perusal of record reveals that the premise was not in regular use and utility (i.e. D.F) were billing him on average basis. The Applicant consumer has also brought this in the notice of utility only after disconnection of his electric supply. The Applicant could not produce any record of early correspondence. However it is the duty of utility to read meter at least once in every two months in the case of commercial consumer and serve the bill as per meter reading.

In case the meter remains inaccessible after two consecutive efforts to effect a meter readings, then in addition to any remedy available to the utility under section 163 of the Act, the consumer Applicant shall be served not less than seven clear working days notice to keep open the premises for taking the meter reading on the day stated in the notice. But in the present case utility had not taken any effort to issue such notice Forum is of the opinion that utility should verify the correct readings of the Applicant consumer and rectify the bill with immediate effect. Moreover the interest charged on the fictitious billing arrears should be waived.

The electric supply of the consumer Applicant should be restored on payment of corrected bill.

O R D E R

- 1) The utility (i.e. TPL) should rectify the bill as elaborated in the forgoing paragraph.
- 2) The power supply of the Applicant consumer should be restored on payment of the rectified bills and necessary reconnection charges.

The compliance should be reported within 15 days from the receipt of this order.

No orders as to 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 30th July 2010.

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.

MRS. M.P. DATAR
MEMBER
CGRF, BHANDUP

S.L. KULKARNI
CHAIRMAN
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP