

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

Ref. No. Secretary/MSEDCL/CGRF/BN DUZ/ Date :

Case No. 299

Hearing Dt. 19/12/09  
& 22/12/09

**In the matter of bill revision**

**Shri C.B. Chavan** - Appellant

Vs.

**MSEDCL, Gadkari S/Divn., Thane** - Respondent

**Present during the hearing**

**A - On behalf of CGRF, Bhandup**

- 1) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.
- 2) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

**B - On behalf of Appellant**

- 1) Shri Yogesh Chandrakant Chavan, Consumer's representative (Son).

**C - On behalf of Respondent**

- 1) Absent for both the hearings.

Preamble

Shri Chandrakant Bajirao Chavan is the consumer of MSEDCL has filed his representation on 05/12/2009. The case was registered at Sr. no. 299. The representation arise against no order passed by ICGRU, Thane even after lapse of 60 days from the registration of his grievance.

**Consumer's say :**

Shri C.B. Chavan representative of consumer was (herein after referred to as Appellant) present during the hearing.

Shri C.B. Chavan is having single-phase commercial connection under consumer no. 000017192558 with sanctioned and connected load of 0.04 kw at Ramchandra Nagar. no. 2, Opp. Nitin Co., Thane. He is using the load of 2 ceiling fans and two tube lights only.

The Appellant stated that from April 2008 he was enormously billed with wrong readings as 450 units in the month of April, 1046 units in the month of May, 1766 units in the month of June and 1916 units in the month of July. He was using only two tubes and two fans in his small shop and hence is not possible to receive such exorbitant bills with 1000 to 2000 units/month.

Hence he requested to the Forum as follows:

**Prayer:-**

- 1) Wrong bills, which were issued bill date by utility, should be withdrawn.
- 2) Utility should refund the amount, which was paid by him on average basis bills.
- 3) He should get slab wise benefit after rectification of bills.
- 4) The bills issued in the month of October 2008 for 4941 units is totally wrong and should be squashed.
- 5) The interest and DPC charged should be withdrawn.
- 6) The bills paid on 20/09/2008 for an amount Rs. 37.310/- and other bills, which are paid earlier, should be credited.
- 7) The capacitor penalty, adjustment units and other charges in the bill should be withdrawn.
- 8) In the month of 2008 utility have debited Rs. 19,313/- as a adjustment amount which is fictitious and should be withdrawn.
- 9) From August 2008, he had been billed on RNA/RNT/In access status with the average units of 1500 to 2000 units, which should be squashed.
- 10) Installments should be given in the corrected bill for easy of payment.

On the part of utility no one was present even on second time of hearing, which was postponed from

19/12/2009 to 22/12/2009 just because of unattendance of utility representative. Also in response to the Forum letter vide Secretary/CGRF/MSEDCL/BNDUZ/case no. 299 / 0826, dtd. 08/12/2009, utility does not care for submission of its say till date of next hearing. Hence Forum is compiled to decide the case on ex-party and merits basis.

**Observation :**

First hearing was fixed on 19/12/2009 utility's representative were not present during hearing though the intimation was given in time by the Forum. In absence of utility's representative hearing was postponed on 22/12/2009 and intimation was given to the Dy. Ex. Engr. of Gadkari S/Divn. to attend the hearing with the necessary documents on 22/12/2009 at 12.00 hrs. on his cell phone. On 22/12/2009, consumer and his representative were present but none from utility was present. Forum had no option but to decide on ex-party and merit basis and accordingly the Forum held the hearing on pre decided and well intimated time and date on 22/12/2009 at 12.00 hrs.

Utility neither remain present during the hearing nor furnished any reason or/and explanation for remaining absent. It is not in good spirit of redressal of consumer's grievance and displays a utter negligence towards consumer services. Dy. Ex. Engr. of concerned S/Divn. submitted a letter at 16.26 hrs. on same day requesting to keep one more hearing to present the view of utility. The reason quoted for absentee was confusion of hearing time.

On this Forum feel that the reason quoted in the letter of Dy. Ex. Engr. for remaining absent is fictitious and as in no circumstances is justifiable. If so was the reason it was responsibility of utility official to confirm the time.

The Forum therefore expresses its deep displeasure towards the attitude of officials of utility and would like the competent officers to intimate appropriate action against the concerned officials.

Documents on record and submission by the consumers reveals that consumers was using electric connection for commercial purpose and was heavily billed from May 2008 to Dec 2008. But it is observed that consumer have never approach to utility for this heavy recording by meter and necessary testing of meter.

From consumer's personal ledger it is observed that the bills issued till July 2008 were as per meter readings and in the month of Aug-08 & Sept-08 billed on average status and charged for units of 4941 in the month of Oct-08. The same is refunded in the subsequent month for an amount of Rs. 11,000.24 by utility (which was for three months). Similarly consumer was again billed on average basis for units of 1612 in the month of Nov-08 and Dec-08, which is refunded in the month Jan-09 for an amount of 21,063.78. Hence Forum feels that even though the consumption is heavy but it is as per the readings recorded by meter, hence there is no need of rectification of bill for the period of May-08 to Dec-08.

As per the claim of the consumer that the amount Rs. 37,310/- paid on 20/09/2009 was not been deducted from his bill but it is seen from the record that the said payment is adjusted against the arrears in the month of Sept-08 Forum also observed that in the month of Aug-08 the debit of Rs. 19,313/- was charged by utility to the consumer. But Forum could not get the explanation about this debit amount as the representative of utility was absent and no submission was received from utility. Hence Forum feels that this fictitious debited amount which was un explained from utility side should be withdrawn.

As per the consumers request for withdrawal of DPC & interest on arrears can not consider by the Forum as Appellant consumer fails to pay his arrears in due time.

As regards the consumer's request to grant him installments to clear the bill arrears, it is for the consideration of utility's officials to seen it on merits.

### O R D E R

The utility should refund to the consumer Rs. 19,313.91 which has remained unexplained to Forum.

Recurrence of such lapses should be strictly avoided in future.

Compliance of these orders should be reported to this Forum within a month.

No orders as to cost.

As 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 15<sup>th</sup> of January 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**

**R.M. CHAVAN**  
**MEMBER SECRETARY**  
**CGRF, BHANDUP**