



**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
**Ph: – 2210707 & 2328283 Ext: - 122**

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**IN THE MATTER OF GRIEVANCE NO. K/E/271/298 OF 2009-2010 OF SHRI ASHOKSINGH S. PARDESHI, DOMBIVALI (WEST) REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE BILLING.**

Shri Ashoksingh S. Pardeshi  
C/o. Shri S. V. Pardeshi  
Pardeshi Building  
Dutta Nagar, Dombivali (West)  
Tal : Kalyan, Dist.Thane.

} (Here-in-after  
referred  
as user Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Dy. Executive Engineer  
Dombivali urban Sub-Dn. No. I, East  
Tal : Kalyan, Dist. Thane.

} (Here-in-after  
referred  
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance

Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a L.T. consumer of the licensee connected with 415 volts. The Consumer is billed as per residential tariff. The user Consumer registered grievance with the Forum on 19/06/2009 for Excessive Energy Bills. The details are as follows: -

Name of the consumer :- Shri S. V. Pardeshi

Name of user consumer :- Shri Ashoksingh S. Pardeshi

Address: - As given in the title

Consumer No : - 020010084220

Reason of dispute: Excessive Energy Bills.

- 3). The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/582 dated 19/06/2009 to Nodal Officer of licensee. The licensee through Dy. Executive Engineer MSEDCL Sub/Dn. No. I, Dombivali East filed reply vide letter No. DYEE/DOMB/T/Billing/1287, dated 06/07/2009.

- 4) The user consumer claims that he is owner of the concerned Flat No. 6, Pardeshi Mension, Chiplunkar Path, Dombivali. The said flat is having the above referred electric connection. The said flat is vacant from 25/08/2005. Therefore, he has sent one letter dated 20/11/2008 to the non applicant/licensee informing that the said flat is vacant and therefore, minimum charges be levied on him. There was no electric consumption in the said flat from Sept. 08 to March 09. However, the officers of the non

applicant/licensee labeled the meter of the said electric connection as faulty. When he subsequently started living in the said flat, he immediately informed about it to the non applicant/licensee vide letter dt. 1<sup>st</sup> April 09. Thereafter the non applicant/licensee issued bill for Rs. 470. The bills for the months from Sept. 08 to March 09 issued by the non applicant/licensee are highly exorbitant and the non applicant/licensee also threatened for disconnection. Therefore, he has filed the present grievance application with a prayer for spot inspection, directions to the non applicant/licensee to issue bills for minimum charges for the period from Sept. 08 to March 09 during which the electric consumption was Nil, to restrain the non applicant/licensee from adopting coercive methods of threatening disconnection, and to direct the non applicant/licensee to check the present meter and install proper meter, if necessary.

- 5) The non applicant/licensee claims that it has re-examined the electric bills for the months Sept. 08 to March 09 issued to the consumer as per the grievance application filed by the user consumer. The bill for Sept. 08 has been issued for minimum charges. The bill for Oct. 08 is issued for average consumption of 94 units. The bill for the month of Nov. 08 has been issued for average consumption of 188 units showing the meter as faulty one. The bill for the month of Dec. 08 has been issued for minimum charges. The bill issued for Jan. 09 is issued as per consumption as per meter readings. The bill for the month of Feb. 09 has been issued for average consumption of 93 units by showing meter as faulty one. Therefore, the bills for the month of Nov. 08 and Feb. 09 have been withdrawn and a proposal for the correction of the said bills has been submitted to the higher officer and as per the said proposal, the consumer

shall be given credit of Rs. 762.44 in the bill for the next month. The concerned officers were instructed not to disconnect the electric supply to the consumer after 15 days notice was issued to the consumer due to non payment of the charges as per the bill for Feb. 09. The bills for April 09 and May 09 are issued as per the meter readings and therefore, it is not necessary to make any correction in it. The non applicant/licensee also filed CPL of the period from Dec. 06 to May 09 and copies of other documents with it's reply as above.

- 6) The Member Secretary and Member of the Forum heard both the parties on 07/07/2009 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Ashoksingh S. Pardeshi, the user consumer, Shri D. V. Bhojane, AE (In-charge NO), Shri A. K. Dhawale, Dy.EE and Shri S. K. Ambre, A.A. representatives of the licensee, attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record. Submissions made by each party in respect of each grievance shall be referred while deciding each of the grievances to avoid repetition.
- 7) The user consumer, after the hearing, sent his additional say vide letter dt. 10/07/09 claiming that he has kept the said flat or block closed since he received his possession through Court on 25/08/05. He has sent a letter/application with outward No. 570, dt. 16/11/05, in respect of the above fact. The reading in the said meter No. 9000108386 was 540. The non applicant/licensee disconnected the supply and took away the meter on 07/12/05, inspite of the fact that he has given detail explanation about the said reading as 540 in his application with outward No. 873, dt. 18/10/06 and requested for correction of the said bill dt. 16/11/05 issued for

116 units, and inspite of the fact that he has deposited an amount of Rs. 2730 towards the amount of the said bill and cost on 16/11/05. At that time, the engineers of non applicant/licensee has given in writing that at that time the meter reading was 00536. The said meter was again installed about three months there after in March 06. During the said period, the electric supply was discontinued and inspite of the said fact, the bill for the months Jan. and Feb. 06 was issued for 116 units. Though the officer of the non applicant/licensee gave in writing on the bill of the period from 11/09/06 to 10/10/06 issued for 116 units, that the electric supply should not be disconnected as the said bill was wrong, some other officer of non applicant/licensee disconnected the supply and took away the meter. When he made enquiry about it from the office of non applicant/licensee, he was told to deposit Rs. 100 and accordingly he deposited Rs. 100 with the non applicant/licensee towards reconnection charges vide receipt dt. 08/03/07. Thereafter meter No. 9011441209 with reading 10 was installed. An amount of Rs. 700 including Rs. 70 as the cost of the meter were recovered from him. The bill for 50 units and Rs. 244.52 as electric charges was issued to him eventhough there was no use of electricity during the period 22/02/07 to 21/03/07. Thus though he gave an evidence about the closure of the said house or flat to the officer of non applicant/licensee when he went to the said office to complaint about the bill for Feb. 09, and the officer of the non applicant/licensee gave in writing on 23/03/09 to the effect that the electric supply to the user consumer should not be disconnected, the other officer of non applicant/licensee disconnected the electric supply to the user consumer. He is aged 66 years with defect in legs. He has to go to Dombivali at each time for such

work in respect of electric supply to his above referred flat or block. He is also required to spend Rs. 2000 towards expenses for legal advice and other expenses. He has therefore, requested that the above facts be considered. The user consumer sent the above referred additional say by post after the hearing and therefore, the say of non applicant/licensee to the said additional say could not be obtained.

- 8) The non applicant/licensee as per the directions given at the time of hearing submitted further say vide letter No. DYEE/Domb/Tech/ Billing/ 1473, dt. 17/07/09 claiming that as per the directions given by this Forum at the time of hearing , the meter at the above referred flat of user consumer was checked and the reading in the said meter at that time on 15/07/09 was 549. The said meter was of Emco Company and therefore, the same has been immediately changed. A chart as per the CPL for Dec. 06 to May 09 has been prepared. An amount of Rs. 700 recovered from the user consumer towards the cost of meter has been refunded or credited to the consumer in the bill for Dec. 07. The bills corrected from time to time have been noted down. The incorrect bills issued for Nov. 08 and Feb. 09 have been corrected and credit of excess amount if any, shall be given in the next bill.
- 9) As far as the grievance of the user consumer regarding the bills for the months Sept. 08 to March 09 made by him in his main grievance application are concerned, it is clear from say dt. 06/07/09 and say dt. 17/07/09 read with statement of billing filed by the non applicant/licensee that the non applicant/licensee after taking into consideration the interest accrued, arrears and DPC of the period from Dec. 06 to Feb. 07, has verified all the bills of the period from March 07 to May 09, rectified the

wrong bills issued for the month of Nov. 08 and Feb. 09, refunded the amount of Rs. 700 recovered towards the cost of meter to the consumer, given credit of all the amounts deposited by the consumer, checked the meter at the flat of consumer and changed the same on 15/07/09. It has further mentioned in the say dt. 17/07/09 that the rectification of the bills as above made by it shall reflect in the bill for the next month. Therefore, in our opinion the grievances (b) & (d) in the grievance application filed on 19/06/09 stands resolved.

- 10) It is clear from the facts and circumstances of the case and the main grievances made by the user consumer that his main grievances regarding rectification of bills, checking and change of the meter, have already been resolved by the licensee and therefore, it is not necessary to visit the spot for factual position as prayed by the user consumer.
- 11) The licensee cannot be restrained from taking actions according to Law in case any consumer fails to pay the arrears within given time after due notice as per Law and therefore, no injunction as prayed by the user consumer in Clause C can be granted. Hence his such request is rejected.
- 12) As far as the grievance in respect of disconnection made by the user consumer in his additional say dt. 10/07/09 is concerned, it appears from his contention about it in the said additional say dt. 10/07/09 that he alleges such disconnection of supply after 23/03/09. However, he has not made any grievance about it in his main grievance application filed on 19/06/09 and also during the hearing on 07/07/09. Therefore, we do not find any substance in his such grievance and hence the same is rejected.
- 13) In view of the above discussion, the Forum unanimously passes the following order.

**O-R-D-E-R**

- 1) Grievances (b) and (d) made by the user consumer in his grievance application filed on 19/06/09 stands resolved.
- 2) Grievance (c) made by the user consumer in his grievance application filed on 19/06/09 is rejected.
- 3) Grievance in respect of disconnection of electric supply made in additional say dt. 10/07/2009 is rejected.
- 4) Prayer for visit to spot in Clause (a) in the grievance application filed on 19/06/09 considered not necessary.
- 5) The Consumer can file representation against this decision with the Ombudsman at the following address.  
“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Building, Bandra Kurla Complex, Mumbai 51”  
Representation can be filed within 60 days from the date of this order.

Date : 18/08/2009

**(Mrs. V. V. Kelkar)**  
**Member**  
**CGRF Kalyan**

**(R.V.Shivdas)**  
**Member Secretary**  
**CGRF Kalyan**