



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

**IN THE MATTER OF GRIEVANCE NO. K/E/319/356 OF 09-10 OF M/S
BASAVA ENGINEERING PVT. LTD. AMBERNATH (EAST) REGISTERED
WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE,
KALYAN REGARDING EXCESSIVE ENERGY BILL.**

M/s. Basava Engineering Pvt. Ltd.
Plot No. D-38, Add. Ambernath
Anandnagar, Ambernath (East)

(Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Ex. Engineer, Ambernath East Sub/Dn.

(Here in after
referred to
as Licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of "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 (MERC) vide powers

conformed 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. Industrial consumer of the Licensee. The Consumer is billed as per Industrial tariff. The consumer registered grievance with the Forum on 15/01/2010 regarding Excessive Energy Bill. The details are as follows: -

Name of the consumer : M/s. Basava Engineering Pvt. Ltd.

Address: - As above

Consumer No : 021520412091

Reason for Dispute : - Regarding Excessive Energy Bill

- 3). The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/0019, dt. 15/01/2010 to the Nodal Officer of the Licensee, and the Licensee through Dy. Ex. Engr. MSEDCL Ambarnath East Sub/Dn. filed reply vide letter No. DYEE/ Sub.Dn/ Amb(E)/ Billing/206, dt. 18/02/2010.

- 4) The original hearing was fixed on 08/02/2010 @ 15.00 hrs but as per the request of consumer the same was postponed on 22/02/2010 at 16.00 hrs. It was intimated both the parties by Forum vide letter No. EE/CGRF/Kalyan/0053, dt. 06/02/2010. The Members of Forum heard both the parties at length on 22/02/2010 @ 16.00 Hrs. in the meeting hall of the Forum's office. Shri Shekhar Dolli, consumer representative & Advocate Shri M. S. Puranik as audience, Shri V. D. Kale, Asstt. Engr., Shri N. A. Balleri, Dy. Ex. Engr., Shri K. S. Mukane, LDC 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 the parties in respect of grievance since already recorded will be referred to avoid repetition.

- 5). The complainant consumer after approaching the Civil Court by Spl. Civil Suit No. 213 of 05 lodged this grievance contending that the officials of the licensee without taking proper reading issued incorrect bills and further contending that due to inefficiency the officials of licensee did not give him additional load though demanded long back.. According to consumer since Feb. 2004 showing incorrect consumption excessive bills were issued of the amount running in thousands without adjusting the amount deposited by them. It is the contention of consumer that most of the times bills were issued without taking meter reading and eventually licensee shown arrears of Rs. 04,40,960/- and on depositing substantial amount more than Rs. 60,000/- is due from the licensee. It is further contended that in order to get additional load for workshop in order to increase production consumer made an application but the licensee did not response consequently consumer had to drop the idea to increase production. It is contended that to correct the electricity bills and to get additional load to the workshop consumer company persistently made a correspondence but the officials of the license did not respond thereby company had to suffer loss. For all these reasons consumer company filed Spl. Suit bearing No. 213/05 for declaration that the bills were incorrect and the amount claimed therein was excessive with consequent relief of getting refund of Rs. 60,000/- with interest and damages and for perpetual injunction restraining the licensee from disconnecting their supply.

- 6) On perusal the record it is seen that consumer plaintiff seeking order from the court dt 14/12/09 lodged this grievance with a prayer to direct the licensee to correct the bills as per the electricity consumption and after adjustment of the amount deposited, excess amount of Rs. 60,000/- be refunded with interest and as there was deficiency of service, company suffered loss, therefore interest on the collected amount as above and damages to be awarded with further prayer to direct the licensee not to disconnect their supply.
- 7) According to licensee bills were issued as per the meter reading and amount collected time to time from the consumer was adjusted. Vide letter dt. 06/03/10 it is averred that after detail calculation Rs. 28,590.08 with interest and DPC stands in the credit of consumer and it will be refunded after the approval of the competent authority. So far additional load is concerned, it is the contention of licensee that the consumer was inactive and that in view of the changed policy it is rather difficult to give additional load. It is contended that since August 09 consumer is paying bills regularly therefore question of disconnection of electricity does not arise.
- 8) During the course of hearing of grievance both Managing Director of consumer company and the Dy. Executive Engineer, MSEDCL., Ambarnath Sub/Dn. on detail scrutiny of the entire bills in the context of CPL and the related records in the light of grievance have arrived at amicable settlement and accordingly both have passed pursis to that effect on 08/03/2010. By this pursis according to the licensee an amount of Rs. 28,590.08 stands to the credit side of consumer as full and final

settlement and the same will be shown in the ensuing bills. Considering the present restraints however, consumer is not willing to take additional load to their workshop. In this context both consumer and the licensee agreed and consequently prayed to dispose off the grievance.

- 9) Since both the parties settled the dispute amicably to their satisfaction, it is proper to dispose off the grievance. While parting with the matter it is apt to observe that it is high time for the concerned Meter Readers of the licensee to take correct meter reading and to issue correct bills so as to avoid further complications in as much as issuance of incorrect bills lost faith in the working of the company as a whole. In view of this the grievance application will have to be disposed off vide pursis dated 08/03/2010 referred to above and hence the order :

ORDER

Grievance application stands disposed off as amicably settled vide pursis dated 08/03/2010.

Date : 11/03/2010

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan