



**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
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**IN THE MATTER OF GRIEVANCE NO. K/DOS/003/593 OF 2011-2012**  
**OF M/S. VAISHALI BUILDERS, KALYAN (WEST) REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN**  
**ABOUT DISCONNECTION OF SUPPLY WITHOUT NOTICE.**

M/s. Vaishali Builders,  
Building No. 02,  
Ganga Nagar, Lele Ali,  
Kalyan (West) : 421 301

(Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Dy. Executive Engineer  
Kalyan (West) Sub-Division - III

(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. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on 24/03/2011 for Disconnection of supply without notice.

The details are as follows :

Name of the consumer :- M/s. Vaishali Builders

Address: - As given in the title

Consumer No : - 020020314444

Reason of dispute : Disconnection of supply without notice

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/219 dated 24/03/2011 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/Sub-Dn.III/Kalyan(West)/682, dated 25/03/2011 and 1039, dt. 19/04/2011.

- 4) An emergency hearing was held on 28/03/2011 @ 15.00 hrs. and second hearing was held on 20/04/2011 @ 15.00 hrs. The Members of the Forum heard both the parties in the meeting hall of the Forum's office. Shri Pardeshi representative of the consumer & Shri Nitnavare Nodal Officer, Shri Kadi, Dy. Ex. Engr., Shri Taiwade Asstt. Engr., Mrs. Jogdeo Asstt. Acctt. 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.

- 5) The consumer has taken electricity connection from the Distribution Licensee (DL) in the year 1984. It is contended that the licensee without implementing the order passed by Forum in the month of May 2007 issued bill of unreasonable and excessive amount of Rs. 67,950 on 23/03/2011, disconnecting supply of consumer on 23/03/2011. According to consumer amount mentioned in the bill inclusive of DPC, interest of the amount already paid, therefore the bill deserves to be quashed and set aside. By letters dated 30/01/10, 22/02/10, 22/03/10 consumer requested the licensee to revise the bill but in vain hence the grievance with prayer to direct the licensee to revise the bill and to restore supply.
- 6) Licensee by reply dated 19/04/2011 contended that since consumer's meter was slow plain recovery was made and the excess amount recovered was refunded with interest as per Clause 15.4 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations 2005. It is contended consumer is not regularly paying electricity bill, he was defaulter during the period Oct. 2005 to March 2006 and May 2006 to November 2007. He was also defaulter in November and December 2010, therefore his supply was disconnected with due notice on 23/03/2011. According to licensee bill dated 23/03/2011 was raised and issued as per the actual consumption and the consumer is liable to pay the said amount with interest, however, to avoid to make payment consumer lodged this grievance and the same be dismissed with cost.

- 7) Consumer in support of his case filed applications dt. 30/01/10, 22/02/10, 22/03/10. As against this licensee filed copies of CPL, letter addressed to consumer dt. 20/12/10 and bill dated 23/03/11. On perusal spot inspection report dated 07/02/2005 it is seen consumer's old meter was working slow, therefore it was replaced and the recovery as per Clause 15.4 of Regulation 2005 was made. Matter does not rest here but in the subsequent period also consumer remained unpaid the energy bill for the months May 2006 to November 2007 and November and December 2010. By way of reply dt. 19/04/2011 licensee pointed out that till March 2011 consumer is in arrears of Rs. 67,998.51 of which bill raised and issued on 23/03/2011. This detail reply depicts as per the Regulation 2005 recovery of the faulty meter with interest was adjusted and that the amount mentioned in the bill is towards cost of energy and interest on arrears. Consumer has not shown as to how he is not liable to pay the bill amount. In fact consumer who lodged grievance has to point out as to how licensee is at fault. On perusal the applications it seems consumer reiterating the position of replaced faulty meter remaining in arrears invited stern action of disconnection of supply.
- 8) On going through the record it is seen as consumer remained in arrears licensee issued notice and despite this amount was not paid, therefore supply was disconnected on 23/03/2011. On the premise it is apparent licensee raised and issued bill dated 23/03/2011 for the actual consumption of electricity and the interest on arrears during the relevant period. In view of this we find no force in the contention of consumer that bill is unreasonable and excessive.

- 9) During the pendency of grievance on hearing the learned representatives for the consumer and licensee on 28/03/2011 Forum directed the consumer to deposit Rs. 12,000/- and on depositing the amount licensee to restore supply and accordingly as seen from the letter of licensee dated 29/03/2011 consumer deposited the amount and the electricity supply was restored. On perusal the record we find no substance in the grievance application therefore the same deserves to be dismissed. Hence the order :

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

- 1) The grievance application stands dismissed.
- 2) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

*“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.*

Date : 10/05/2011

Mrs. S.A. Jamdar)  
Member  
CGRF Kalyan

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan