

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/86/2012

Applicant : Smt. Abida Khatun,
At Plot No. 271 New Nakasha,
Lashkaribagh,
NAGPUR - 17.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
N.U.C., MSEDCL, NAGPUR.

Quorum Present : 1) Shri. Shivajirao S. Patil
Chairman,

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER PASSED ON 11.10.2012.

1. The applicant filed present grievance application before this Forum on 13.8.2012 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. In the main application the applicant also filed application for interim relief under Regulation 8.3 of the said regulations.

3. The applicant's case in brief is that newly installed electric meter was giving higher bills since January 2010. The applicant filed an application for revision of the bill and change the meter on Dt. 21.10.2011, 30.12.2011, 2.2.2012. Ultimately acucheck test of the meter Dt. 30.4.2012 confirmed that meter has 12.40% error. Electric meter has been replaced on 7.6.2012 but bills are not corrected. Excessive bills are not corrected and therefore applicant did not pay those bills. Electricity of the applicant was disconnected on 30.6.2012 without prior notice. Therefore applicant filed present application for revision of bills and in the same application claimed interim relief to reconnect the supply.

4. Non applicant denied the applicant's case by filing reply. It is submitted that consumer has made last payment in May 2011 against energy bill of April 2011. On the pretext that meter is not working properly, the applicant did not make further payments. The applicant complained about disputed bill for the first time on 21.10.2011 with a request to check the meter. Meter was tested on 13.4.2012 and as per the meter testing report meter was found 12.40% fast. Considering fastness of the meter bill for the month of October 2011 to April 2012 were already revised. Effect for the bill revision given in the month of May 2012 billing cycle. As the meter was faulty meter was replaced on 7.6.2012 and bill for the month of May 2012 to meter replacement month was under revision and effect was being given in the billing month of

August 2012. Though the consumer was advised to make the payment under protest on average basis consumer has not made any payment since May 2011 till date. Since the consumer was not making any payment, notice for disconnection was issued on 8.5.2012. The consumer has refused to accept the notice (copy of disconnection notice enclosed with reply). Though consumer's bill was revised, the consumer has not made any payment and ultimately supply was disconnected on 30.6.2012. The application may be dismissed.

5. Forum heard arguments of both the sides and perused the record.

6. So far as interim relief is concerned, during the course of hearing Dt. 14.8.2012, it was ordered that the applicant shall deposit Rs. 20000/- along with reconnection charges under protest within a week and on such payment non applicant shall reconnect the electricity supply to the applicant till disposal of the matter.

7. So far as the merits of the matter are concerned, it is evident from the record that as per the request of the applicant meter was tested on 23.4.2012 and meter was found fast by 12.40%. Considering fastness of the meter, billing for the month of October 2011 to April 2012 was already revised and effect for bill revision was given in the month of May 2012 billing cycle. As the meter was faulty meter was replaced on 7.6.2012 and bill for the month of May 2012 to meter

replacement month was under revision and effect was being given in the billing month of August 2012.

8. On each and every electricity bill specified note is printed that if any consumer disputes correctness of the bill, he shall deposit the bill amount under protest and can apply for revision of the bill. In spite of this fact applicant did not pay anything since May 2011 and was utilizing the energy without any payment. It is not legal and proper. So far as revision of the bill is concerned, it is evident on record that non applicant has already revised in proper way and now there is no need for any further revision.

9. Record shows that as the applicant did not pay electricity bills since May 2011, therefore notice of disconnection Dt. 8.5.2012 was issued to the applicant but the applicant refused to accept the notice. There is specific endorsement about refusal to accept the notice on the copy of notice filed on record. It is not proper, on the part of applicant to refuse the notice.

10. For these reasons, in our opinion, there is no substance in the grievance application and application deserves to be dismissed.

11. Resultantly, the Forum proceeds to pass the following order :-

ORDER

- 1) Grievance application is dismissed.
- 2) Interim order Dt. 14.8.2012 is hereby modified and cancelled.

| | | |
|--------------------------|-----------------------------------|----------------------------------|
| Sd/- (Smt.K.K.Gharat) | Sd/- (Adv.Smt.GauriChandrayan) | Sd/- (ShriShivajirao S.Patil) |
| MEMBER SECRETARY | MEMBER | CHAIRMAN |