

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

Case No. CGRF(NUZ)/121/2012

Applicant : Smt. Rashmi R. Khobragade,
30, Ring Road, Opp. Kotwalnagar,
Nagpur-17.

Non-applicant : Nodal Officer,
The Executive Engineer,
Congressnagar Division N.U.C.,
MSEDCL,
NAGPUR.

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

2) Smt. Kavita K. Gharat
Member Secretary.

INTERIM ORDER PASSED ON 30.11.2012.

1. The applicant filed present grievance application before this Forum on 27.11.2012 under Regulation 6.5 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations). In the main Grievance application, the applicant also claimed Interim relief under regulation 8.3 of the said regulation.

2. The applicant's case in brief is that in the month of August 2012 the current reading indicated is 13087 and previous reading is shown as 5958 thereby consumption of 7129 units which is billed for Rs. 75740.97. It is excessive bill considering previous trend of the consumption of the applicant. The applicant approached to non applicant about her grievance. The applicant was directed to deposit Rs. 6000/- tentatively. Therefore the applicant deposited Rs. 6000/- on 1.10.2012. On 26.10.2012 the non applicant issued notice under section 56 of Electricity Act 2003 which received by the applicant on 28.10.2012. The applicant filed grievance application before I.G.R.C. on 20.11.2012. During the pendency of the said grievance application before I.G.R.C. non applicant disconnected the supply on 23.11.2012. The matter is pending before I.G.R.C. As supply is disconnected, the applicant filed present grievance application before this Forum on 27.11.2012 and claimed interim relief to reconnect the supply. The applicant also claimed to withdraw excessive bill of August 2012.

3. Notice of Interim relief was served against the non applicant. Non applicant denied the case of the applicant by filing reply Dt. 30.11.2012. It is submitted that bill for 7129 units amounting to Rs. 75009/- is issued for the month of August 2012. As per consumer's complaint slab benefit has been granted and revised bill was issued to the consumer. However, the consumer was not satisfied and hence as per consumers request meter No. 1631985 was sent for testing on 8.10.2012. Meter was found O.K. as per report of testing laboratory and hence consumer was asked

to pay the bill. Meter photos are not clear in the month of April 2012, May 2012 and June 2012. In July 12 “Inaccessible” status was given to the meter and average billing was done. Actual billing was done as per photo in the month of August 2012 which 7129 units. Further the consumption pattern of previous 3 years for the period April to August shows no abnormal billing was done to the consumer and said consumption pattern of 3 years is as under :-

- A) April 2010 to August 2010 - 6147 units
- B) April 2011 to August 2011 - 7137 units
- C) April 2012 to August 2012. - 8554 units
(Including 7129 units of August 2012).

There is no excess billing. The application deserves to be dismissed.

4. Forum heard arguments of Mr. Dave representative of the applicant so also heard arguments of Mr. Sorte, Dy. Executive Engineer, Trimurtinagar Sub-Division for M.S.E.D.C.L. and perused record.

5. It is an admitted fact that notice of disconnection was issued to the applicant on 26.10.2012 which is received to the applicant on 28.10.2012. There was disconnection on the basis of statutory notice on 23.11.2012. The applicant filed grievance application before I.G.R.C. on 20.11.2012. But during the pendency of the grievance application there was disconnection on

23.11.2012. The applicant filed present case before this Forum on 27.11.2012.

6. Considering the facts and circumstances of the case and prima-facie material on record in the opinion of the Forum, the applicant shall deposit Rs. 15000/- tentatively under protest out of the bill of August 2012 and shall deposit all further current bills regularly within time by way of tentative arrangement bill disposal of the matter before I.G.R.C. On such deposits, the non applicant shall reconnect the supply of the applicant immediately. These directions are issued by way of interim relief.

7. The applicant also claimed final relief in present grievance application to withdraw excessive bill of August 2012. However, for this purpose admittedly the grievance application is before I.G.R.C. and it is pending. Therefore during pendency of similar matter before I.G.R.C. this final relief to withdraw excessive bill of August 2012 can not be considered at this stage as per regulations. However, we must make it clear that the applicant is at liberty to approach for this final relief after the decision of I.G.R.C. if applicant is aggrieved by the decision of I.G.R.C. However, within stipulated time limit. With these observations we proceed to pass the following order :-

ORDER

1) Applicant is hereby directed to deposit Rs. 15000/- out of the bill of August 2012 under protest and shall continue to deposit all other further electricity monthly bills under protest till disposal of the matter before I.G.R.C. and on such deposits by the applicant, non applicant shall reconnect the supply of the applicant immediately and not to disconnect the same till the disposal of the matter by I.G.R.C.

2) So far as final relief of withdrawal of excessive bill of August 2012 is concerned, the applicant is at liberty to approach this Forum within stipulated time after the decision of I.G.R.C. in case applicant is aggrieved by the said order.

3) Therefore grievance application of the applicant is finally disposed off.

Sd/-
(Smt.K.K.Gharat)
MEMBER
SECRETARY

Sd/-
(ShriShivajirao S.Patil)
CHAIRMAN