

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

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**Case No. CGRF(NUZ)/007/2009**

Applicant : Shri Manohar Baliram Thakare  
Through Suresh Thakare  
At Kawarpeth, Tahsil, Umrer  
Dist. NAGPUR.

Non-applicant : MSEDCL represented by  
the Nodal Officer-  
Executive Engineer,  
Division – I, NUZ,  
Nagpur.

Quorum Present : 1) Shri S.F. Lanjewar  
Executive Engineer &  
Member Secretary,  
Consumer Grievance Redressal  
Forum, Nagpur Urban Zone,  
Nagpur.

2) Smt. Gouri Chandrayan,  
Member,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.

**ORDER (Passed on 02.03.2009)**

This grievance application has been filed on 28.01.2009 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of The 1) Electric line is illegally disconnected 2) The assessment made by MSEDCL of Rs. 63,000/- is unfair and illegal. 3) The said bill may be cancelled.

The applicant wants the relief sought from the Forum.

- 1) To restore the regular electricity, grant as per injunction so that next time it should not hamper to cut off electricity line without notice.
- 2) Cancel the huge electricity bill of Rs. 63,000/-, since the consumer has not consumed that much electricity.

The applicant first approaches to Hon'ble Court on dated 23.01.2009. In this application he prayed to hon'ble Court that he wants get the relief from MSEDCL as mentioned above.

The applicant has given the affidavit signed by Notary on Rs. 100/- saying that but as per Hon'ble Court directed to him, to file a case in Consumer Grievance Redressal Forum. According he approaches to CGRF.

The following documents are submitted during filing the case.

- 1) Suit petition for declaration permanent and perpetual injunction statement.
- 2) Notary had submitted and the written statement vide L.No. EE/NGP/T/1106 Dated 17.02.2009 with the following points.

Shri Sharma Jr. Engineer Umrer D/C (then JE) had inspected the spot of Shri Manohar Baliram Thakare Kawarapeth, Umrer on dated 11.02.2008. Meter glass was shifted and the gap

was created so that plastic patti or film can earlier inserted in the meter.

The meter was opened in presence of Line staff and consumer. There was scratches were found when the meter was opened. By these observations (Sharma JE) had informed to Assistant Engineer saying there was a attempt of theft under 126.

The energy bill (CPL) of May, 1999 to 2008 are submitted for supporting documents.

The case was heard on 18.02.2009.

The applicant Shri Thakare and MSEDCL SIDE Shri Ghugal, E.E. and Shri Kathane A.E. Umrer werer present.

The applicant replied that he is stick-up to his say as per written submission of documents.

He also added in his reply that he is not agree to pay the bill which was unfair and illegal.

The supply should be restore as it.

On the other-side the non-applicant MSEDCL authority argued that Shri Thakare had tried to theft the electricity by inserting the film in the meter, hence he is liable under 126 of Electricity Act 2003. He should pay the short fall of bill.

Lastly, he was no way to sort-out the problem and non of them came into common decision. It is decided by the Forum to test the meter in Testing Division laboratory in presence of applicant and MSEDCL representative and the testing report will be binding to both the parties and case is adjourned upto 26.02.2009.

According the case is again heard on dated 26.02.2009 in presence of both the parties the testing report of meter was shown

(it was stopped meter) to them and they were agree. There is no prima-facie found of Section 126 as per 2003. It is also not charged clearly 126 against the consumer.

By seeing all the documents. Forum has given a order (1) MSEDCL should charged only three months, average bill corresponding to last three months as per MERC Rule 15.4.1

In case of a defective meter, the amount of the consumer's bill shall be adjusted for a maximum period of three months prior to the month in which the dispute has arisen, in accordance with the result.

With results of the meter testing. Subject to furnishing the test report of the meter alongwith the assessed bill.

The bill should pay by the consumer within 15 days maximum period.

The supply should be restored immediately after payment.

The non-applicant shall carry out this order and report compliance to this Forum in terms of this order on or before 02.04.2009.

Sd/-  
(S.F. Lanjewar)  
Member-Secretary

Sd/-  
(Smt. Gauri Chandrayan)  
MEMBER

**CONSUMER GRIEVANCE REDRESSAL FORUM  
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's  
NAGPUR URBAN ZONE, NAGPUR.**