

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

Case No. CGRF(NUZ)/0100/2010

Applicant : Smt. Sushila R. Peshne
At Plot No. 56, Dhore-layout,
Mankapur,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Civil Lines Division,
Nagpur.

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

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Executive Engineer &
Member Secretary,

ORDER (Passed on 13.01.2011)

The applicant Smt. Sushila R. Peshne, resident of Mankapur Plot No. 56, Dhore Layout Nagpur filed present grievance application on dated 16.12.2010 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.

1. The applicant Smt. Sushila Ramchandra Peshne, has requested for compensation of Rs.3,00,000/- to the non-applicant on dated 11.10.2010. The compensation is for the physical, mental and financial loss accrued to the applicant due to illegal billing since 1998. The non-applicant has rejected the applicant's prayer. Therefore being aggrieved by this rejection the applicant has filed the grievance application in the forum on dated 16.12.2010 and requested to the forum that...

1. To grant compensation of Rs.3,00,000/- for illegal billing since 1998.

2. The applicant's say in brief is that since 1998, the non-applicant has been receiving excessive bills from the non-applicant. Thereby caused injustice the applicant and also cheated. In the month of April 2010, the applicant received a bill with average consumption of 77 units amounting to Rs.320/-. Thereafter in month of May-2010 the applicant has received a bill of 518 units amounting to Rs. 2550/- with arrears of Rs.331/-. The bill has shown previous reading as 6035 and current reading as 6553. In fact in April 2010 no meter reading was taken and incorrect bill was sent.

3. Since 1998, the non-applicant is sending incorrect bills and committed injustice. Therefore on 22.09.2010 the applicant has filed an application to the non-applicant and demanded compensation. But the non-applicant has

rejected this demand. Therefore she filed present application.

4. The non-applicant has submitted following say on dated 31.12.2010. It is submitted that bill of April 2010 was sent as a average bill of 77 units due to over site. In May 2010 reading was taken and bill for 518 units was given. Consumption of 77 units of April 2010 was deducted and thereafter proper bill was issued to the applicant. The non-applicant never issued incorrect bill, therefore no compensation can be claimed.
5. The matter was heard in the forum on dated 01.01.2011. Both the parties were present. Shri Deshmukh, Dy.E.E. Seminary Hills sub-division was presented the non-applicant's side.

Shri Ramchandra V. Peshne, the applicant's representative has pleaded that the non-applicant is harassing the applicant in 1998 by issuing illegal & incorrect bill. This resulted into financial as well as physical and mental loss to the applicant. Therefore requested to the forum to grant a compensation of Rs.3,00,000/- for harassment since 1998.

6. Forum heard the arguments from both the side and carefully gone through the documents on record.

It is noteworthy that the applicant claimed that since 1998 she is receiving false and incorrect bills.

However present grievance application is filed on 16.12.2010. According to Regulation 6.6 of the said regulation, the Forum shall not admit any grievance only it is filed within two years from the date of which cause of action has arisen. Therefore claim regarding the bills since 1998 is barred by limitation according to regulation 6.6 of the said Regulations.

7. The non-applicant has explained to the forum that no injustice was caused to the applicant. The non-applicant is giving correct & regular bills to the applicant. Also except the complaint received in October 2010, no other complaint has been received from the applicant so far.
8. The CPL shows that proper bills are issued to the applicant. There is nothing on record to show there was any fault on non-applicant's part. Therefore present grievance application simply cite for compensation is not tenable at law. According to Regulation 12.1 of MERC (Standard of Performance of Distribution Licensee, Period for Giving Supply and Determination of Compensation) Regulation 2005, where Distribution Licensee finds that it has failed to meet Standard of Performance than only compensation can be claimed. In the present case there is no breach of any Standard of Performance, therefore compensation cannot be claimed.

9. It appears that there is no substance and no merits in the present grievance application. Therefore the application deserves to be dismissed.

Hence Forum proceed to pass the following order.

ORDER

The grievance application is hereby dismissed.

Sd/-	Sd/-	Sd/-
(Smt K.K.Gharat)	(Smt.Gauri Chandrayan)	(ShriShivajirao S.Patil)
Member-Secretary	MEMBER	CHAIRMAN
CONSUMER GRIEVANCE REDRESSAL FORUM		
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's		
NAGPUR URBAN ZONE, NAGPUR.		