

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

Case No. CGRF(NUZ)/62/2012

Applicant : Shri M.S. Kale,
At Attar Line, Gandhigate,
Mahal, NAGPUR.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
M.S.E.D.C.L. 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 30.7.2012.

The applicant filed present grievance application before this Forum on 15.6.2012 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

1. The applicant's case in brief is that in the bill for the month of March 2012, bill for the period of last 2 years i.e. since March 2010 to February 2012 amounting to Rs. 76,826/- is claimed. Thereafter that bill was revised & provisional bill of Rs. 43120/- was issued. He did not admit revised bill and

therefore filed an application Dt. 7.4.2012 and therefore on his application bill was again corrected on 30.4.2012 and he was directed to pay Rs. 26,260/-. He was compelled to pay Rs. 22,000/- on 21.5.2012. His meter was never disconnected. On the contrary meter is live and it is in good condition. Therefore applicant claimed to cancel the bill of last 2 years and claimed compensation.

2. Non applicant M/s. SPANCO denied the applicant's case by filing reply Dt. 2.7.2012. It is submitted that as per CPL, supply of the applicant was shown to be disconnected permanently in March 2010, but as per admission of the applicant supply was never disconnected and it is continuing for ever. Due to oversight it was mentioned in record that supply is permanently disconnected. Therefore bills for March 2010 to January 2012 were not issued to the applicant previously. During this period applicant did not file any application to Distribution Licensee during last 2 years that he is not receiving electricity bills every month. During the scheme of checking of connections, it is found to the team of distribution franchisee that electricity supply is live to the applicant. Same old meter is installed in applicant's premises, it is in good condition and reading was available. Therefore as per rules bill of 2 years was calculated for 7309 units in the month of March 2012 but due to oversight it was shown in the bill that the bill is for 2 months (instead of 2 years) and therefore this mistake was corrected and as per slab rate of 24

months bill of the applicant reduced by Rs. 32329/-. Application deserves to be dismissed.

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

4. Record shows that meter of the applicant is old meter, one and the same and it is in good condition admittedly. Further more, admittedly there was no disconnection of supply of the applicant and supply is going on as usual since beginning till today. There is nothing on record to show that during last two years, applicant filed any application to distribution licensee complaining that he is not receiving monthly electricity bills. On the contrary, the applicant kept mum and was enjoying the electricity supply without paying a single paisa for long period of 2 years. When it has come to the notice of SPANCO that due to oversight in CPL it is shown that there is P.D. and therefore bills were not issued to the applicant. However, meter was in good condition and reading was available. Therefore SPANCO calculated the consumption of last 2 years of electricity which is actually consumed by the applicant. As per provisions of Section 56(2) of Electricity Act 2003, recovery of electricity charges are permissible for the past period of 2 years (24 months) from the consumer from the date on which the sum to be recovered became first due. In the present case past period of recovery being of 2 years, bill issued in the month of March 2012 is quite correct and therefore the same needs no revision as claimed by the applicant.

5. We have carefully perused the order passed by Learned I.G.R.C. in case No. 39/12 Dt. 11.6.2012. This order is based on sound reasoning and there is no illegality or perversity in it. Therefore said order is perfectly correct, legal, valid and therefore needs no interference.

6. For these reasons, we find no force in present grievance application and application deserves to be dismissed.

ORDER

- 1) Grievance application is dismissed.

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