

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

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**Case No. CGRF(NZ)/46/2016**

Applicant : Dr.Balwant L.Golhar  
Qtr.No.A-2/2, Dr.Colony,  
Near Ajani Rly.Stn., Congressnagar  
Nagpur-08.

Non-applicant : Nodal Officer,  
The Executive Engineer,  
Congress Nagar Dn.,MSEDCL,  
NAGPUR.

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Applicant :- In person.

Respondent by 1) Shri Bhise, EE, Congressnagar Dn.  
2) Shri R.K.Ghatole, Adl.EE. S/Dn.

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

2) Mrs. V.N.Parihar,  
Member, Secretary

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**ORDER PASSED ON 18.04.2016.**

1. The applicant filed present grievance application before this Forum on 23.03.2016 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Applicant's case in brief is that she occupied quarter in 2010 but monthly

bills were not issued to her. All of a sudden bills of Rs.30566/- issued for the period 12/02/2010 to 12/02/2016. MSEDCL issued ill-legal notice of disconnection dated 16/02/2016. Therefore this Notice may be declared as ill-legal and bill may be Revised.

3. Non Applicant filed reply dated 11/04/2016 and submitted that previously this meter was permanently disconnected in January 2010 and same meter was allotted in the Quarter of Applicant. In computer system due to mistake meter was shown P.D. but connection was live and supply was going on. There was no billing since Jan 2010 to Jan 2016 therefore consumer is billed for Rs. 30566/- from jan 2010 to jan 2016 that is for 67 month. Grievance application may be dismissed.

4. Forum hurt argument of both the sides and perused the record.

5. Admittedly Applicant occupied the quarter in January-2010 and supply was live. It is mistake of employees of MSEDCL that they have shown P.D. status in computer system but supply was live. Applicant is not responsible for this fault and mistake of officials of MSEDCL furthermore employee's of MSEDCL did not take meter reading every month since January-2010 till 12/02/2016 i.e, for a period of 6 year. It is a gross negligence on the part of employee's of MSEDCL and they are responsible for this negligence.

6. MSEDCL claimed assessment bill of Rs.30566/- for the period January-2010 to January-2016 for 67 months. However according to section 56 of Electricity Act 2003 this bill is barred by limitation. MSEDCL can claim bill of only 24 months proceeding the date of inspection dated 12/02/2016 which is within limitation of 2 year. Therefore it is necessary to revise bill of Rs.30566/- and to claim only bill of 24 month proceeding the date of inspection i.e, 12/02/2016. It means MSEDCL can recover bill from 12/02/2014 to 12/02/2016 only.

7. It is true that bill from January-2010 to 12/02/2014 is time barred and

can not be recover. It is only due to negligence of employees of MSEDCL who are responsible for not taking monthly reading and did not take any action since January-2010 to 12/02/2014 therefore Chief Engineer, MSEDCL, Nagpur Zone, Nagpur is requested to conduct departmental inquiry against the responsible employee who did not take any action for taking monthly meter reading for 6 years and did not issue monthly electricity bills and therefore loss is caused to MSEDCL. Therefore this time barred amount shall be recovered from the salary of responsible negligent employees.

8. Therefore MSEDCL shall revised assessment bill of Rs 30566/- for the period January-2010 to January- 2016 for 67 months and by revision shall claim bill of the period 12/02/2014 to 12/02/2016 only from applicant.

9. Therefore forum proceed to pass the following order.

#### ORDER

- i) Application is partly allowed .
- ii) Disconnection notice dated 16/02/2016 is ill-legal therefore set a side and cancelled.
- iii) MSEDCL shall revise Electricity bill of the applicant for Rs. 30566/- from January-2010 to January- 2016 for 67 months and shall recover electricity bill for the period of January-2014 to January- 2016 for 24 months only from the applicant.
- iv) Chief Engineer, Nagpur Zone, MSEDCL, Nagpur is requested to conduct departmental enquiry against negligent employees who did not take monthly meter reading since January-2010 to 12/02/2016 and did not take any action for recovery of time barred bill for the period January-2010 to 12/02/2014 and further requested to recover amount of this time barred billing from responsible employees of MSEDCL and may take action in accordance with law and rules.

- v) Non-applicant shall submit its Compliance Report within 30 days from the date of this order.

Sd/-  
(Mrs.V.N.Parihar)  
**MEMBER/SECRETARY**

sd/-  
(Shivajirao S. Patil),  
**CHAIRMAN**