

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

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**Case No. CGRF(NUZ)/038/2015**

Applicant : Shri Kameshwar S. Pande,  
Pachpaoli Police Colony,  
Quarter No. 2,  
Nagpur : 17.

Non-applicant : Nodal Officer,  
The Superintending Engineer,  
(Distribution Franchisee),  
MSEDCL,  
NAGPUR.

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

2) Shri Anil Shrivastava,  
Member / Secretary.

**ORDER PASSED ON 24.3.2015.**

1. The applicant filed present grievance application before this Forum on 23.2.2015 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. Applicant's case in brief is that he received excessive bills. He paid Rs. 100/- towards meter testing charges on 6.8.2012 but his meter was neither replaced nor tested in meter testing laboratory. On the contrary his supply was disconnected in the month of March 2014 as he has not paid energy bills since 6.8.2012. Therefore applicant approached to I.G.R.C. for replacement of his meter and revision of bills since August 2012 and for restoration of supply. Learned I.G.R.C. ordered to replace disputed meter immediately and to test it in meter testing laboratory in presence of

applicant and also take action of revision of disputed bills if so necessitated as per the findings of meter testing lab report. Being aggrieved by the order passed by I.G.R.C. he approached to this Forum.

3. Non applicant denied applicants case by filing reply Dt. 9.3.2015. It is submitted that applicant paid meter testing charges of Rs. 100/- on 6.8.2012. But his meter was not tested nor replaced. Applicant did not pay the energy bill since 6.8.2012. Therefore his supply was disconnected in March 2014. Applicant approached to I.G.R.C. on 16.2.2015. As per order passed by Learned I.G.R.C. Dt. 19.2.2015, meter is tested in the laboratory of S.N.D.L. in presence of applicant and it is found O.K. Therefore bill can not be revised.

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

5. Applicant filed one typed application before this Forum Dt. 23.2.2015 and alleged that his bill for the month of August 2011 was excessive. His bills in the year 2012 are also excessive. He deposited Rs. 8660/- on 8.8.2012. Since 2012, he is receiving excessive bills.

6. However, according to regulation 6.6 of the said regulations, Forum shall not admit any grievance unless it is filed within two years from the date on which cause of action has arisen. According to the applicant, he received excessive bills since August 2011 and in 2012. Therefore, it was his duty to approach within 2 years from the date of cause of action. But applicant filed present grievance application on 23.2.2015 and hence these grievances regarding excessive bills in 2011 and 2012 are barred by limitation. At the most, cause of action which arose within a span of two years before presentation of grievance application on 23.2.2015 i.e. since

23.2.2013 is only within limitation. We can not consider grievance which took place prior to 23.2.2013.

7. Record shows that there was temporary disconnection in March 2014. However, there is nothing on record to show that non applicant issued statutory notice u/s 56 of Electricity Act 2003 before this disconnection. Therefore temporary disconnection in March 2014 without statutory notice is illegal disconnection and needs to be restored immediately.

8. It is rather surprising to note that applicant openly argued before the Forum that since the date of temporary disconnection, he took electricity connection by affixing wire from his neighbor. Needless to say that it is also illegal but why people choose such type of practice also forms a big question mark. When distribution licensee / franchisee took law into their own hands and disconnected the supply illegally without statutory notice, in such circumstances, no other way left with public and they divert towards illegal remedy. If distribution licensee / franchisee expect legality from the consumers, first they should act legally. Wisdom must start from home.

9. Another interesting part of the matter is that admittedly there was temporary disconnection in March 2014 and applicant is taking electricity supply from the neighbor illegally but surprisingly since March 2014, consumption is shown in CPL but status is shows as 'Inaccessible'. It is a great surprise that on the upper side of CPL there is Inaccessible status, in consumption column consumption is shown as 378 units but in disconnection tag column, meter is shown "Live". Therefore it is clear that bill since the date of temporary disconnection i.e. after March 2014 is fictitious bill and it must be cancelled.

10. It is also matter of record that applicant paid Rs. 8660/- on 6.8.2012 and since then did not pay bill. It is the duty of the applicant to pay arrears prior to temporary disconnection in March 2014, because meter is tested in meter testing laboratory on 21.2.2015 and it is found O.K. Therefore bills prior to temporary disconnection can not be revised. Bill prior to 23.2.2013 is barred by limitation and on this count also it can not be revised.

11. Only relief which can be granted to the applicant to restore his electricity supply immediately and to cancel his fictitious bill after the date of temporary disconnection in March 2014. Hence following order :-

#### ORDER

- 1) Grievance application is partly allowed.
- 2) SNDL is hereby directed to restore electricity supply of the applicant immediately, which was disconnected in contradiction with the provisions laid down u/s 56 of Electricity Act 2003.
- 3) Bill after temporary disconnection in March 2014 is fictitious bill and therefore it shall be cancelled along with interest and D.P.C.
- 4) Applicant is directed to pay his arrears of bill till the date of T.D. in March 2014 failing which SNDL shall be at liberty to issue notice u/s 56 of Electricity Act 2003 and may take action of disconnection in accordance with law.
- 5) Compliance should be reported within 30 days from the date of this order.

Sd/-  
(Anil Shrivastava)  
MEMBER/  
SECRETARY

Sd/-  
(Shivajirao S.Patil)  
CHAIRMAN