

**CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L., PUNE ZONE, PUNE**

Case No.10/2015

Date of Grievance : 23.03.2015

Date of Order : 29.04.2015

In the matter of exorbitant billing.

Mr.Murlidhar Hanumant Jadhav,
S.No.106, Bharatnagar,
Alandiroad, Yerawada,
Pune-411006,

Complainant
(Herein after referred to as Consumer)

Versus

Executive Engineer,
M.S.E.D.C.L.,
Nagarroad Division,
Pune.

Respondent
(Herein after referred to as Licensee)

Quorum

Chair person
Member Secretary
Member

Mr. S.N.Shelke
Mr. V. P.Biranwar
Mr.S.S.Pathak

Appearance

For Consumer

Mr. Murlidhar H.Jadhav

For Respondent

Mr.G.M.Kadale, Ex.Engineer
Nagarroad Division.
Mr.S.G.Bhodke, Addl. Ex.
Engr.,Vishrantwadi S/dn.

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & E.O.) Regulations 2006.
- 2) Being aggrieved and dissatisfied by the order dated 07.03.2015 passed by IGRC Rastapeth Urban Circle, Pune , the consumer above named prefers this grievance application on the following amongst other grounds.

- 3) The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Nagarroad Division, Pune vide letter no. EE/CGRF/PZ/Notice/10 of 2015/133 dtd.24.03.2015. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 07.04.2015.
- 4) Facts of the case are as under.
- i) Residential connections vide Consumer no.160230360038 connected on 9th Aug.2002 is standing in the name of Shri.Murlidhar Hanmantrao Jadhav.
 - ii) Commercial connection vide Consumer No.170015927472 is also standing in the name of Shri.Murlidhar Hanmantrao Jadhav & the said supply was released through meter no. 9000078809.
 - iii) At the request of the consumer, above mentioned residential connection was released in the name of said consumer on 9th Aug.2002.
 - iv) The consumer did not receive bills for residential connection but he was under impression that only one bill was being issued to him for both the connections.
 - v) Flying Squad of the Licensee visited the premises of the consumer on 21.9.2012 & found that the supply from said residential connection was being used for commercial purpose & thereafter the Licensee removed the residential connection meter from the premises of the consumer & made the said connection P.D.
 - vi) The Licensee issue bill of Rs.97,770/- for consumption of 15633 units on 23.10.2012 for the period of Aug.2002 to Sept.2012 as per commercial tariff.
 - vii) Due to nonpayment of said electric bill, the arrears diverted on existing live electric connection no.170015927472 stands on the same name & in the same premises.
 - viii) However, till today the Licensee did not take any action against the consumer under Section 126 of Electricity Act,2003.
 - viii) IGRC rejected the grievance of the consumer under the impugned

order dated 7.3.2015 holding that since the case of the consumer comes within the purview of Section 126 of Electricity Act,2003, IGRC has no jurisdiction to entertain the grievance.

- 5) At the time of final hearing on 24.4.2015 both the parties have made settlement.

Terms of settlement are reproduced as under :

१. *Unbilled* वापरापैकी पहिल्या ५ वर्षाचे बील हे घरगुती दराप्रमाणे व उर्वरीत व्यावसायिक दराप्रमाणे देण्यात यावे.
२. वरील बिलामध्ये कोणत्याही प्रकारचे व्याज व दंड आकारू नये.
३. वरीलप्रमाणे त्या बिलाचे मासिक १५ हप्ते देण्यात यावे त्याचे *post dated* चेक मी उपविभागीय कार्यालय विश्रान्तवाडी यांच्याकडे जमा करेल.

- 6) In view of above mentioned settlement, we pass following order.

ORDER

- 1) Grievance of the consumer is allowed in terms of compromise as mentioned in para no. 5 above.
- 2) The Licensee to issue revised bill as per terms of compromise.
- 3) No order as to cost.
- 4) Licensee to report the compliance within one month from the receipt of this order.

Delivered on: - 29.04.2015

H.P.Biranwar
Member/Secretary
CGRF:PZ:PUNE

Suryakant Pathak
Member
CGRF:PZ:PUNE

S.N.Shelke
Chairperson
CGRF:PZ:PUNE