

Before Maharashtra State Electricity Distribution Co. Limited Consumer Grievances Redressal Forum, Pune Zone, 925, Kasabapeth Building, 11nd flr. Pune-11

Case No. 5 of 2007

Date: 18/4/2007

In the matter of Shri Tukaram Govind Gaikwad - Complainant

V/S

M.S.E.D.C.L. Shivajinagar Division, Aundh S/Dn. - Opponent

Corum Chair Person Mr. Bhalerao
 Member/Secretary, Mrs. N.D.Joshi,

- 1) Shri Tukaram Govind Gaikwad (Complainant for short) made complaint/grievance to the Forum containing that though for some period supply of electricity was cut to his restaurant he received a bill of huge amount probably because the meter was faulty. He claimed the relief of quashing the said bill and to issue a fresh bill on the basis of actual units consumed.
- 2) The facts giving rise to the present complaint in brief are that the complainant obtained the supply of electricity in the month of Feb.04 under consumer no. 160220179297 through meter no. 67282. On 27.11.04. the meter was burnt due to short circuit and, therefore, a new meter bearing no. 73504 was installed on 9.12.04. After installation of new meter the bills were never issued to the complainant on the basis of units consumed and recorded by the meter. In the month of Aug.05 for the first time the bill on the basis of actual units consumed for the amount Rs.55,682.5 was issued to the complainant.
- 3) The complainant on 21.11.05 made a complaint to the MSEDCL (Opponent for short) contending that meter was faulty which showed reading more than units consumed. By that application he made a request to change the meter and issue a bill of correct

units consumed. The complainant did not get relief. He, therefore, approached Internal Grievance Redressal Cell (IGRC). The IGRC convinced the complainant. The complainant before IGRC admitted consumption of units 11,508, IGRC, therefore, directed the complainant to pay the amount of Rs. 67,125/- for total units consumed 11,508 with interest thereon @ 18% p.a. The IGRC thus directed the complainant to pay the total amount Rs.80,455/-.

4) The complainant being dissatisfied with the relief given by IGRC approached this Forum. The notice was served upon the opponent.

5) The Dy. E.E. Aundh Sub Dn., Pune on behalf of opponent filed the say contending that the old meter as it was burnt was replaced with new meter on 9.12.04. the last reading recorded on the old meter was 1147. The bills were issued to the complainant showing last reading as 1402, recorded by old meter. The actual units recorded on the new meter were not feeded to the computer and, therefore, from Dec. 04 to June 05 the bills were issued on the basis of average units. In the month of Aug. 05 the bill was issued on the basis of actual units consumed and the actual units consumed were 9812 recorded on new meter + 745 the no. of units consumed as shown when old meter was removed ($2147-1402=745$) which were not accounted for before. After Aug.05 the complainant was using the electricity upto Dec. 05. The units consumed bimonthly ending Oct.& Dec. shown on the meter were 808 & 887 respectively. The meter was recording correctly the units consumed and, therefore, the complainant has no ground for making any grievance. It was further contended that at the time of actual inspection of site carried on 25.11.05 the restaurant of the complainant was running and the electricity was consumed. The electrical gadgets used in the restaurant at that time were 2 tubes, 4 bulbs, 2 fridges and one single phase motor of 1 HP. Prior to that from Dec. 04 upto Aug. 05 there was supply of electricity to in all 7-8 stalls through complainant's meter.

6) At the time of hearing the complainant admitted that there were about 12 stalls. When he was asked how the other stalls which were 12 in numbers were getting the supply of electricity ?

He explained that those 12 stalls were owned by him and supply of electricity to those 12 stalls was through his meter.

- 7) The complainant when alleged that the meter was faulty due to which excessive reading was recorded he did not show willingness to pay requisite fee for testing of meter. The opponent has produced the CPL. From the entry in the CPL it is seen that on Dec. 04 till June 05 the bills were not raised on the basis of actual units consumed. After the meter was changed for the first time the bill on the basis of actual units consumed was raised in the month of Aug.05. The said bill was for 9812 units consumed.. In those units, the 745 units recorded by old meter were added. Taking into consideration that there were 12 stalls to which the supply of electricity was through the complainant's meter the units consumed recorded on the new meter appear to be correct. Thereafter in two bimonthly periods the units consumed were recorded and they were 808 and 887 which represent the average consumption. It, therefore, appears that there was no fault with the new meter.
- 8) Only the fault on the part of opponent is that the bills were not issued to the complainant regularly. Had the bills been issued regularly the complainant could not have got confused and he would have paid the bills regularly. He could have afforded to pay bills had they been issued from time to time. When everything was explained to the complainant he agreed to pay the bill of Rs.67,125.37 except the interest and delayed payment charges (DPC). The interest is Rs.1962.57 and DPC is Rs. 3031.88. Deducting the amount of interest and DPC from the total bill the balance comes to Rs.64,130.90. The complainant showed willingness to pay this amount in 5 installments. From the CPL it is seen that from Jan.06 onwards there was no supply of electricity to the complainant's restaurant and therefore the opponent is not entitled to recover any charges from Jan.06 onwards as claimed in CPL, hence the Order.

ORDER

- 1) The complainant to pay the opponent the amount of Rs.64,130.90 in 5 installments. The first installment of Rs.12,930.90 be paid on 20.4.07 and remaining 4 monthly installments of Rs.12,800/- each be paid on or before 10th of each month in succession.

- 2) To be more specific the 2nd installment shall be paid on or before 10th May 07 and remaining in succession. The relief granted of making payment in installments is interest free.
- 3) On the complainant making payment of first installment opponent at his cost to reconnect the supply of electricity to the complainant's restaurant immediately.
- 4) On complainant making any default in making payment of any installment the remaining amount shall become due in lump and it will carry interest @ 9% p.a. from the date of default till payment in full besides opponent's right of disconnection available under Electricity Act, 2003.
- 5) The opponent to waive all charges as claimed in CPL from Jan.06 onwards as from that month the electricity was not supplied to the complainant though permanent disconnection is shown in the month of Oct.06.

Sign:

Mrs. N.D.Joshi,
Member/Secretary

Mr. A.V. Bhalerao
Chair Person

Date: 18/4/2007