

PHONE NO. : 25664314/25664316
FAX NO. 26470953
Email: cgrfbhandupz@gmail.com
Website: www.mahadiscom.in

Consumer Grievance Redressal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S.Marg, Bhandup (W),
Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/89/867

Date: 18.12.2018

Hearing Date: 19.06.2018

CASE NO.89/2018

Mr. Mahavir Mohite,

C/o Yogi Corporation,

Bldg. No. B-7, No.2,

Gopal Nagar, Bhiwandi-421302.

(CONSUMER NO.13010778403)

. . . . (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution Company Limited
through its Nodal Officer,
Bhiwandi Circle, Bhiwandi

. . . . (Hereinafter referred as Licensee)

Appearance : For Mr. R.R. Beloskar,
Executive Engineer, Bhiwandi,

S.K.Dhope, Addl. EE, Bhiwandi

For Consumer – Shri. Mahavir Mohite Consumer

[Coram- Dr. Satishkumar Jaiswal - Chairperson, Shri. R.S.Avhad -Member Secretary
and Sharmila Ranade - Member (CPO)].

1. Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory

Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as ‘Regulation’. Further the regulation has been made by MERC i.e. Maharashtra Electricity Regulatory Commission. [Electricity Supply Code and other conditions of supply Regulations 2005] Hereinafter referred as ‘Supply Code’ for the sake of brevity. Even, regulation has been made by MERC i.e. ‘Maharashtra Electricity.

2. The Application in Schedule ‘A has filed by Mr. Mahavir Mohite For M/s Yogi Corporation. The consumer alleged that his consumer number is 13010563709 and in the year 8.12.2006 balance in the bill was Rs. 1400/-. The bill also mentioned that the consumption is 119 units per month. He approached many time personally but no officer have been justice to him and now he filed this application and only 2 month amount remain unpaid than the Torrent power Ltd given the bill of Rs. 51,482/- and therefore request adjudicate the matter. The IGRC has pass the order 26.05.2018 that there is arrears of Rs. 1,52,225/- as per Jan.2018 bill. The consumer referred his application dtd. 9.11.2017 .As per order IGRC considering material on record it was revealed that the consumer application is related to the billing dispute for the year 2007. However, the application filed by the consumer to confirm the documentary evidence for following their claim up to November 2017. The claim of more than 10 year therefore application is disallowed and dismissed.
3. The utility has filed the reply dtd.13.04.2018 that the pending dues of electricity from period Jan. 2006. Since 26 Jan.2007, the electricity distribution and billing in Bhiwandi has been handed over to M/s. TPL for a period of 10 years and from 02.01.2017 for further 10 years along with the assets of Distribution Network. The present dispute of consumer is for the period before Jan-2007. The present MSEDCL arrears are to the tune of Rs. 1, 54, 532/- which was Rs. 51,100/- in Jan. 2007. Nodal office received the application under IGRC on dtd. 28.12.2017

and not raised grievance against bill till November 2017. The application is grossly barred by the delay as per MERC Regulation 6.6 which stipulates the limitation for filing grievance within two years. The arrears recoverable due on the monthly bill of the consumer as per 56(2) E.A. 2003. Hence the bill revision cannot be approved by lapse of 11 years since 2006.

4. I have heard both sides and gone through the arguments of both sides. It appears that the bill was not paid November 2006 and December 2006 and bill was 50,000/-. The bill was settled with TPL. The bill primly 1, 54,000/- and it is now barred by limitation the utility can recover it. As it is a time barred date. This grievance is on 2007 and the bill of November 2017 is not under challenge. hence the grievances is barred by limitation as given under Regulation 6.6 of MERC . hence I found no substance in the Appeal and it is liable to be dismiss.

ORDER

This application is hereby dismissed.

No order as to the cost.

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

Note:

- a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address. " Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission,606, Keshav Building,Bandra - Kurla Complex, Bandra (E),Mumbai - 400 051"
- b) b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non- compliance, part compliance or

- c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission (consumer Redressed Forum and Ombudsman) Regulation 2003" at the following address:-

"Maharashtra Electricity Regulatory Commission, 13th floor,world Trade Center, Cuffe Parade, Colaba, Mumbai 05"

- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.

I Agree/Disagree

**MRS. SHARMILA RANADE,
MEMBER
CGRF, BHANDUP**

**ANANT M. GARDE
CHAIRPERSON
CGRF, BHANDUP**

**RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP**