

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

**Case No. 45/2018**

**Date of Grievance : 08.08.2018**

**Hearing Date : 11.09.2018**

**26.09.2018**

**Date of Order : 10.12.2018**

**In the matter of exorbitant bill.**

M/s. R.K.Garment,

---- Complainant

Prop. Reyaz Ahmed Khan,

S.No.54, Gali No.3, Shivnerinagar,

Kondhwa Kh., Pune- 411048.

(Consumer No. 160250832807)

VS

The Executive Engineer,

---- Respondent

M.S.E.D.C.L.

Rastapeth Division

**Present during the hearing:-**

**A] - On behalf of CGRF, Pune Zone, Pune.**

- 1) Shri. A.P. Bhavathankar, Chairman, CGRF,PZ, Pune
- 2) Mrs. B.S. Savant, Member Secretary, CGRF, PZ, Pune
- 3) Mr. Anil Joshi, Member, CGRF, PZ. Pune.

**B] - On behalf of Appellant**

- 1) Mr.Reyan Ahmed Khan,

**C] - On behalf of Respondent**

- 1) Mr.M.D.Ghume, EE, Rastapeth Dn.
- 2) Mr..C.S.Ingulkar, A.E.E. St.Marry S/Dn.
- 3) Mrs.Deepak Shivangi, Asstt. Engineer

**Consumer No. 160250832807, Billing Unit – 4610, Rastapeth Division,  
St. Marry Sub/dn., Category – 52 LT, Commercial 3 phase, 20 KW, Date  
of connection - 24.06.2011**

Complaint above accumulated consolidated bill issued to the consumer exorbitant pray for correction. Above named consumer received bill in the month of Feb.2018 for amounting Rs.2 Lakhs alongwith the notice of the disconnection from utility after receiving the said bill. The consumer deposited amount under protest Rs.50000/- and raised grievance against the utility praying that exorbitant bill issued to the consumer was abnormal. The reading was not taken properly and threat of disconnection demand illegally made. Initially consumer approached to Ex.Engineer on 9.3.2018 and requested to correction of bill. Thereafter consumer made grievance to IGRC in form No.-X on dated 27.4.2018 and pray for the correction of the bill and under protest deposited amount of Rs.50,000/- After receiving the said grievance IGRC registered the case & decision Order vide his No. 5746 on dated 26.6.2018. IGRC give opportunity for hearing of grievance of the consumer and notice was issued to the Respondent Utility. According to utility since July-2017 to Nov.2017 consumer was issued bill as per reading but the amount and units shown on the bill is below average in the month of Jan.2018 consumer received the bill as per accurate reading and the old meter was replaced which was inspected in present consumer and the said reading was found proper therefore the entry made on the bill was not enter in the properly. Accordingly in the month of Jan.2018 Credit for amount Rs.1149/- was given to the consumer and remaining bill was divided in 18 months.

The Respondent Utility also offers to pay the said bill in installments as per Rules. Thereafter IGRC decided the dispute and directed consumer to pay the bill issued in the month of Jan.2018 as it is issued as per actual meter reading and the supply was found used properly. IGRC disposed of the said case offering to payment the said bill in installments.

Being aggrieved by the order of IGRC as he dissatisfied with the order on dated 26.6.2018. The consumer approached to the Forum and filed grievance Forum No. – A. Consumer made allegation exorbitant bill and requested to correct bill as per actual reading after filing the said grievance This office issued notice to the consumer on dated 8.8.2018. Respondent Utility directed to submit the reply on 23.8.2018. After service of notice Respondent Utility appeared and filed reply along with documents of

photograph of the meter B-80 statement on 24.8.2018, copy of inspection report dated 12.2.2018, copy of CPL and other relevant documents. Respondent Utility submitted that after receiving the grievance account of the consumer was verified. Connecting load is 5 KW, date of connection 21.6.2011, the meter reading was informed to the consumer on Mobile App. Consumer requested to test the meter before testing unit having meter accumulated unit 7589 reading shown 40345, Meter no.5182137, copy of the CPL is verified. According to report dated 12.2.2018 discloses the meter reading is accurate and normal. Respondent Utility Annexure the report dated 12.2.2018 at Annexure –II. Respondent Utility further submitted that meter was changed and new meter was installed bearing No.3185855. The actual consumption which was shown and bill in the month of Jan.2018 was accumulated bill for amount Rs.1,08,629/- against this consumer paid amount of Rs.50000/- in the month of Jan.2018 revised bifurcation bill of unit issued to the consumer for the period Sept.2016 to Feb.2018 for 18 months amount Rs.1149.69 was credited in the bill for the month of March-2018. Respondent Utility attached copy of the bill given benefit Rs.1149.69 Ps. Respondent Utility prays for dismissal of the complaint and passing appropriate order as per meter testing report. Respondent Utility submitted that revised bill is issued as per accurate used by the consumer and he is liable to pay the same by the installments.

I have perused consumer complaint and reply of utility alongwith documents. I have also perused documents filed by the consumer.

After perusing rival contention following points arose for my consideration to which I have recorded my finding to the points for the reason given below :-

1. Whether accumulated bill issued to the consumer in Jan.2018 is legal valid and proper?
2. Whether consumer is entitled for any relief?
3. What order?

**Reasons:-**

On 26.9.2018 I have given opportunity of hearing to the consumer and his representative I also given opportunity of hearing to

the Nodal Officer, Respondent Utility. appear before this Forum. The issue came from determination where issue of accumulated bill in the month of Jan.2018 for amounting Rs.10,86,291/- is legal valid and proper. The reason was analyze according to consumer exorbitant and accumulated bill issued to the consumer in the month of Jan.2018. In normal course consumer is bounce to surprise of accumulated bill therefore he raised proper query and requested for testing the meter. The meter testing report dated 12.2.2018 is filed where the meter status shown reported OK and no fault. Therefore the reason for not issuing accurate meter reading bill was verified from the copy of CPL. It appear from the reply and the contention of utility where the monthly bill was issued to the consumer which was below average. The normal consumption of the consumer was not assessed for the longer period of 18 months which was resulted in accumulated bill. The Respondent Utility assessed and charge the accumulated unit mentioned in the bill and which was claimed Rs.1,08,629/- Respondent Utility. themselves admitted that the units 7589 is accumulated & reading 40345 kwh meter recorded on meter No. 5182137 which was assessed in supplementary bill. Therefore accumulated bill charged by the utility apparently is exorbitant and not with due diligence. The action is justified by giving credit for the period Sept.2016 to Jan.2018 wrong credit Rs.29,970 was given in the month of March-2017 against average bill was also recovered and therefore utility wanted to recover the entire arrears.

Coming to the case on my report of meter testing shown the meter is OK and seal is intact so therefore there is no technical defect, reason of non-issuing accurate meter reading bill, fault is at the Respondent Utility side and consumer cannot be held responsible. In view of Regulations No. 12.5 consumer is entitled to reassess the bill as per 3 months actual consumption average billing and reassessed the bill. Therefore I have given directions to find out the consumer utility pattern of consumption of unit. It is reported that the consumption pattern is earlier 580 units per month which was increased up 750 units after April-2018 each month calculation of

monthly consumption unit was also assessed and average was fixed where as consumer usages 461 units is false below 500 units slab and therefore earlier benefit which is given required to be reassessed. As per the Regulation therefore I am inclined to allow the consumer complaint and come to conclusion that accumulate bill issued in the month of Jan.2018 to the consumer by utility wrong, illegal and improper. Respondent Utility directed to reassess the bill considering consumer pattern average consumption between 500 to 700 p.m. calculation and recovery of 18 months which is within permissible limit of recovery of arrears of bill difference of 24 months should have been permitted to the utility. Respondent Utility shall not charge any interest, DPC, penalty against the consumer in addition Respondent Utility already shown intimation to give the said amount by installments. After reassessment of the bill therefore I am inclined to allow the consumer to repay the remaining bill unpaid after reassessment in equal 6 monthly installments along with the current bill.

The opportunity was given to both parties i.e. utility and consumer for submission of their relevant documents and if any say is required during the hearing. Accordingly, the time limit of 60 days prescribed for disposal of the grievance could not be adhered to.

Hence I proceed to pass following orders.

### **ORDER**

1. Consumer complaint No. 45 of 2018 is allowed.
2. Bill Jan.2018 issued accumulated stands set aside.
3. Respondent utility is directed to reassess the bill since sept.2016 considering average consumption of units 500 to 700 per month and shall recover the dues of 18 months and revised the bill.

4. Consumer is allowed to pay the said bill in 6 equal monthly installments earlier payment already made by consumer shall be adjusted.
5. No order as to the cost.
6. The Licensee to report compliance within one month from the date of this order.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Pune Urban Zone, Pune on 10<sup>th</sup> Dec. - 2018.

**Note:-**

- 1) If Consumer is not satisfied with the decision, he may file representative within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

The Electricity Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606, Keshav Building,  
Bandra - Kurla Complex, Bandra (E),  
Mumbai - 400 051.

- 2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

I agree / ~~Disagree~~

I agree / ~~Disagree~~

Sd/-

**ANIL JOSHI**  
**MEMBER**  
**CGRF:PZ:PUNE**

Sd/-

**A.P.BHAVTHANKAR**  
**CHAIRPERSON**  
**CGRF: PZ:PUNE**

Sd/-

**BEENA SAVANT**  
**MEMBER- SECRETARY**  
**CGRF:PZ:PUNE**