

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM  
AURANGABAD ZONE, AURANGABAD.**

**Case No. CGRF/AZ/AUC/711/2018/  
Registration No. 2018120056**

Date of Admission : 11.12.2018

Date of Decision : 24.04.2019

Shri. Kalim Parvin Shekh : COMPLAINANT  
Shop No.,10, Ajanta Comp.;  
CIDCO, Aurangabad  
(Consumer No. 490012085068)

**VERSUS**

Maharashtra State Electricity Dist. Co. Ltd., : RESPONDENT  
Through it's Nodal Officer /  
The Executive Engineer, MSEDCL,  
Urban Circle, Aurangabad.

The Addl.Executive Engineer,  
Chikalthana Sub Dn., Aurangabad

For Consumer : Shri. Akhtar Ali Khan  
For Licensee : Shri. C.N. Mohadikar  
Addl. EE, Chikalthana Sub-Dn.

**CORAM**

Smt. Shobha B. Varma, Chairperson  
Shri Laxman M. Kakade, Tech. Member/Secretary  
Shri Vilaschandra S. Kabra Member.

**CONSUMER GRIEVANCE REDRESSAL DECISION**

- 1) The applicant Shri. Kalim Parvin Shekh Shop No.,10, Ajanta Comp.; CIDCO, Aurangabad is a consumer of Mahavitaran having Consumer No. 490012085068. The applicant has filed a complaint against the respondent through the Executive Engineer i.e. Nodal Officer, MSEDCL, Urban Circle, Aurangabad under Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulation 2006 in Annexure (A) on 11.12.2019.
  
- 2) **The brief facts of the dispute are as under:-**
  - 1) The complainant bearing Consumer No.490012085068 is consumer of MSEDCL. The complainant own shop No. 10, at Ajanta Complex, CIDCO, Aurangabad.
  - 2) It is submitted that in the energy bill of January 2018, MSEDCL has included Rs. 88103 due against him, without specifying any details.
  - 3) It is stated that on discussion & assurance of Additional Executive Engineer, Chikalhana, about correction of aforesaid bill the complainant has paid Rs. 23000/- bill amount. Then, complaint was filed before IGRC dt.23.03.2018 for revision of aforesaid bill, however, till filing the present complaint, not single hearing was taken place.
  
- 4) That the complaint is harassed with threatending of dis-connection & put to mental agonies.
  
- 5) Hence, it is prayed that,

- 1) Action be taken against Nodal Officer of Urban Circle for not trying the case.
  - 2) The wrong amount shown in the bill of January 2018 be withdrawn with interest & DPC.
  - 3) Electric supply may not be disconnected.
- 6) Say is filed by the Res. (P.No.9) as under:-
- The complainant is consumer of MSEDCL of Shop No.10, Ajanta Complex , CIDCO. As the complainant did not pay the bill amount ,so on Dt.09.01.2016 his electric connection was permanently disconnected & meter was taken away. At that time total arrears due against complainant were Rs. 3,45,900/-. However, in the same premises electric connection was released on dt.01.09.2015 which was of consumer No.490018417691. On the basis of wrong documents, it was released. When it was detected to Assistant Engineer, then on dt.12.01.2016, he has transferred the arrears of Consumer No.490012085068 to Consumer No. 490018417691 & communicated about it. Accordingly, the arrears were transferred vide revision ID 3242118 & 3242144. The consumer No. 490018417691, as has not made the payment of arrears , hence in January 2017, his electric connection was permanently disconnected & meter was taken away.
- 7) It is stated that present complainant requested to give him benefit under Abhay- Yojana. Therefore the amount which was transferred to consumer No.490018417691 was again taken back to consumer No.490012085068 for Rs.3,45,900/- .
  - 8) At that time the bill was minus Rs.2000 so by deducting amount of Rs. 63643.43 of DPC & interest , bill of Rs. 2,80,328.00 was issued against

the complainant. That the complainant has paid Rs.50000/- on dt. 20.03.2017. So due were Rs.2,30,328.00. However security deposit amount was deducted twice, so bill of Rs. 2,28,328.00 was issued & consumer has paid it on dt.28.07.2017, vide receipt No.1467107. Thereafter , in the month of November/December 2017, electric connection was reconnected . However, the complainant's connection was permanently disconnected in January 2016 & it was reconnected in November/December 2017 therefore, hence interest amount of Rs.88850.16 was charged to the complainant in the month of December 2017 bill.

- 9) It is further submitted that the interest amount of Rs. 88850.00 being wrongly charged to the consumer , so it was to be decreased. However , there were arrears of Rs. 27282.37 of consumer No. 490018417691 in the month of January 2018. Hence, B-80 of Rs,. 27282.37 Ps. was taken vide revision No. 7942581. On deducting the said amount from 88850.16, (consumer No.490012085061) Rs.67448.09 was deducted B-80 was taken vide revision No.7942748. However, interest amount of Rs. 5880.30 paise was wrongly excessively charged. After deducting excessive interest amount Rs. 5880.30, security deposit of Rs. 2000, which was deducted twice, thus total of Rs. 18695.14 should be deducted in the bills for the month of April, vide revision No.8425825. Hence in the month of March 2018 the electric bill of the complainant would be Rs.44710.00 – 18695.14 = 26014.86 paise. On these grounds , it is prayed for dismissal of the complaint.

- 10) We have perused the pleadings, & documents filed by both the parties on record. Heard consumer Representative Shir. Aktar Ali & Shri. Mohadikar C.N., Additional Exe. Engineer Chikalhana Sub-division for Respondent.
- 11) Following points arise for our determination & we have recorded its answers for reasons to follow.

POINTS	ANSWER
1) Whether the disputed bill for the month of December 2018 is wrong & requires to be withdrawn with DPC & interest ?.	Yes
2) What order.	As per final order

### REASONS

- 12) **Point No. 1:-** On perusal of disputed electric bill (P.No.4) it is seen that complainant is consumer of MSEDCL with consumer No.490012085068 in respect of his shop No.10, Ajanta Complex, CIDCO, Aurangabad. It is further seen from CPL (P.No.49) that one Shaikh Azlan Shaikh Kaleem is occupier of Shop No. 13/9, Ajanta complex, town center, CIDCO, bearing consumer No.490018417691.
- 13) The disputed bill (P.No.4) of the complainant that current bill (30 December 2015 to 12 January 2018) was Rs. 28664, interest arrears of Rs. 88103.75 are included in the bill without any specification.
- 14) During the course of argument it is submitted by the Respondent that consumer No.490018417691 has taken electric connection on dt. 01.09.2015 on the basis of wrong documents in the shop of the

complainant so arrears of complainant were transferred to consumer No.490018417691. Thereafter, the complainant has sought benefit of Abhay – Yojana & paid bill of Rs. 2,80,328.00 & at that time again the arrears were transferred in the name of the complainant. That complainant electric connection was permanently disconnected on January 2016 & reconnected in November / December 2017 therefore interest amount of that period Rs. 88850.16 paise is charged in the disputed bill.

- 15) On perusal of CPL of the complainant bearing consumer No.490012085068 (P.No.13 to 29) for the period January 2010 to March 2018, it is seen that his meter was No. 67/00523900. There were arrears of Rs. 3,45,899.74.00 so his electrical connection was permanently disconnected in January 2016 & meter was taken away. So that, on dt. 31.07.2017, the consumer has paid arrears of Rs. 2,28,328.00, so in December 2017, electrical connection was made live & new meter No. 76/40713024 was installed.
- 16) As against this CPL of consumer No. 49001841761(P.No.31 to 36) for the period December 2015 to March 2018 is produced. It is seen that, the concern meter No. is 75/12663932 was permanently disconnected in June 2017 & at that time total arrears were Rs.3,73,182.37 till June 2018, it is permanent disconnection.
- 17) It is important to note that, according to Res. electric connection of consumer No. 490018417691 was taken in the shop of the complainant on dt. 01.09.2015, by misleading the officers of Res. on the basis of wrong documents & it was detected to officers of Res. on dtd. 12.01.2016 & therefore arrears of present complainant were transferred

to consumer No.490018417691. It is worth to note that considering serious allegations, however, it is found that officers of the Respondent did nothing. Neither there is Panchanama, nor report submitted to Superior officers. No legal action was initiated by the officers of the Respondent. Further A-1 form is not produced on record, on the ground that it is not available. In absence of these documents, we are unable to accept the submissions of the Respondent about using of electric connection of consumer No.490018417691 by the present complainant in his shop. It is pertinent to note that if consumer No. 490012085068 was permanently disconnected in January 2016 & before that on dt. 01.09.2015, electrical connection of consumer No.490018417691 was installed in complainant premises, why the Respondent did not find it there which is not explained at all. On dt.09.01.2016 complainant's electric connection was permanently disconnected, whereas thereafter in January 2017 electrical connection of consumer No.490018417691 was disconnected. However, at that time also nothing was detected & kept on record to the officers of the Respondent.

- 18) To sum up it is found that the entire story put forth by the Respondent in their say, being without documentary evidence hence not acceptable version.
- 19) Consequently, after payment of bill amount of Rs. 2,80,328.00 by the complainant, charge of interest amount of Rs. 88850.16 paise in the bill of January 2018 is found without any basis. Once the story of Res. is found not truthful, the interest arrears are not chargeable & found

wrongly charged , hence requires to be withdrawn completely. We accordingly answered point No.1 in the affirmative.

- 20) It is found that complaint was submitted to IGRC on dt.21.03.2018, however till dt. 11.12.2018, it was pending. In this premises . We feel it just & proper to gear up the work of IGRC. Concern Superintending Engineer, Urban Circle, Aurangabad directed to look in the matter for effective working & redressal of cases in IGRC.
- 21) Considering the above total arrears shown Rs. 88103.75 in the bill of January 2018 is wrong (page 13). Consequent revision taken by MSEDCL now has no value, discussion , we proceed to pass following order in reply to point No.2.

### **ORDER**

- 1) The complaint is hereby allowed.
- 2) The disputed bill of the complainant for the month of January 2018 to the extent of total arrears of Rs.88103.75 is set aside & quashed.
- 3) Parties to bear their own cost. Compliance be reported within 30 days.

Sd/-  
Shobha B. Varma  
Chairperson

Sd/-  
Laxman M. Kakade  
Member / Secretary

Sd/-  
Vilaschandra S.Kabra  
Member