



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
Ph- 2210707, Fax - 2210707, E-mail : cgrfkalyan@mahadiscom.in

**NO. K/DOS/139/1940 OF 2019-20**

Date of registration : 30/08/2019

Date of order : 01/11/2019

Total days : 63

**IN THE MATTER OF GRIEVANCE NO. K/DOS/139/1940 OF 2019-20 OF SHAHNAZ LAIQUE AHMAD SHAIKH, SHOP NO.09, CHOUDHARY COMPOUND, SANTOSH BHAVAN, NALASOPARA (E), DIST.PALGHAR, PIN CODE - 401 209 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.**

Shahnaz Laique Ahmad Shaikh,  
Shop No.09, Choudhary Compound,  
Santosh Bhavan, Nalasopara (E),  
Dist.Palghar, Pin Code - 401 209  
(Consumer No. 001890165822, LT-Comm.)

... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution  
Company Limited  
Through it's Nodal Officer/Addl.EE.  
Vasai Circle, Vasai

... (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri.Sunil Davane, LDC, Nalasopara (E)

For Consumer - Shri.Mushfik Shaikh (C.R.)

[Coram- Shri. A.P.Bhavthnkar -Chairperson,Shri. A.P.Deshmukh-Member Secretary  
Mrs.S.A.Jamdar- 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 Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.' Hereinafter referred 'SOP' for the sake of convenience.

2) Consumer complaint no.1940 of 2019 Shahnaz Laique Ahmad Shaikh, Shop No.09, Choudhary Compound, Santosh Bhavan, Nalasopara (E), Dist.Palghar. Consumer no. 001890165822, Category 52 LT-II Commercial, 1 phase, 20 KW date of connection 23/10/2012 Sanction load 4 KW, V/s Respondent utility, thru Addl. Executive Engineer, Nalasopara (E) Sub division, Meter no.05802970678. Complaint about accumulated excess recovery bill towards unbilled case. Above name consumer has taken supply for running shop at given address Shop No.09, Choudhary Compound, Santosh Bhavan since 23/10/2012. As per connecting load consumer was paid bill issued by utility time to time. In the month of Oct-2016 the supply of the consumer was disconnected for non payment of bill for the month Oct-2016 to July-2017. Thereafter the old dispute was solved and consumer was directed to pay the said bill in 10 bifurcated. Consumer already paid the said bill on 09/09/2017. In the month of July-19 consumer received accumulated bill for amounting Rs.38,500/-. Along with notice of disconnection. After receiving the said bill consumer directly approach to this forum raising same dispute that he visited office of the utility and made complaint. Oral assurance was given but his dispute was not solved. Consumer pray for revise and reassessment of the bill as per actual units and settle is dispute. After filing this complaint directly before this forum of 30/08/2019 the office registered the case vide case no.1940 of 2019 on 04/09/2019. office issued notice to the respondent utility for filing reply on or before 04/09/2019 after receiving the said notice, respondent utility appear and filed reply stating that old dispute of the consumer regarding old meter was solved by bifurcation of bill for the period Oct-16 to Jul-17 and unit after issuing revised bill was adjusted in 10 equal monthly installment. At that time consumer deposited settled bill on 09/09/2017. Consumer supply was disconnected in month of Oct-2016, after payment of bill on 17/10/2016 consumer supply was reconnected but reconnection report not received by sub division office and consumer remain unbilled. Thereafter on date 03/08/2017 consumer bill revised for month of Oct-2016 to July-2017 by giving slab benefit in 10 months. Consumer paid the same on 09/09/2017, but due to some technical problem in SAP system consumer again remain unbilled. Lastly in month of Nov-2018 consumer made live. Consumer billed on average from Nov-2018 to Jan-2019 as per '50' units/month. again Consumer billed for month of Feb-2019 to Jan-2019 as per TD states with minimum bill. Bill of consumer revised from Aug-2017 to Jul-2018 by giving slab benefit in 23 months and final bill, issued to consumer of Rs.35,070/- on dt.26/08/2019. Therefore consumer was asked to pay the said bill by demand along with notice of disconnection. Accordingly the consumer required to pay the said bill, instead of that consumer again filed the dispute as for earlier period. The live consumer was not feeded to the system and consumer was under billed however on 05/09/2019 consumer deposited and paid amount Rs.5000/- which was as per direction of this forum Respondent utility pray for rejection of complaint along with cost. After perusing rival contention. Following point arose for my consideration to which I recorded by finding to the point for the reason given below :

**Point :**

- i) Whether respondent utility entitle to recover accumulated bill issued in the month Jul-2019 for amounting 38,070/- from consumer.
- ii) Whether consumer is entitled for adjustment in the bill or revision of the bill as per consumption?
- iii) What order?

**Reasoning :**

On dt.25/09/2019 I have given opportunity to the Consumer and Representative and respondent utility and heard the matter. The dispute which is raised by the consumer was paying accumulated bill in the month of July-2019 for amounting Rs.38,070/-. The respondent utility issued the said bill along with notice of disconnection. It was being a cause of action again arose to the consumer fresh therefore this consumer filed grievance directly before this forum on 30/08/2019. As per record the office registered the dispute and give direction to consumer to deposit amount Rs.5,000/- the said oral order was complied by the consumer by depositing amount Rs. 5,000/- on 05/09/2019. At the time hearing, it is submitted by Respondent utility that on previous two occasions accumulated bill dispute was solved about this consumer. The accumulated bill was bifurcated in equal months and consumer already paid, still there was recurrence of incident which made consumer connection temporarily disconnected on two occasions and lastly which resulted demand of accumulated bill in the month of July-2019. The reason given utility that, in the month of Nov-18 the connection of the consumer was made live but the meter was not feeded in the system. However average consumption of bill 50 unit was given thru system to this consumer for period Nov-2018 to Jan-2019. In the month of July-19 the changes in the system about proof about the bill of consumer was changed and the accumulated bill was issued and is demanded which was challenge by consumer in this complaint. The dispute raise by the consumer frequently issuing accumulated bill and giving instruction to the consumer to deposit, which is not according to regulations. The accumulated bill cannot be demanded surprisely to make consumer for burden. Not making live connection in this system is no fault of consumer. To my view consumer should not be blamed penalized or punished for no reason. Therefore the respondent utility require to bifurcate the said unit in equal monthly installment considering the period of dispute which was replied by the utility from Aug-17 to Jul-19. Already deposited amount by the consumer shall be given set off. Respondent utility cannot charge any interest DPC and Penalty. After depositing first installment the consumer is entitled to continue the supply at his premises. The respondent utility shall pay and adjust cost of Rs.500/- for delay in dispute of the consumer was not solved in proper time. It can be adjusted in bills. Hence I am inclined the allowed the complaint of this consumer.

Hence the order

**ORDER**

- 1) The Consumer complaint no.1940 of 2019 is allowed.
- 2) The respondent utility shall revise and reassess the accumulated bill issued in the month of Jul-19. No interest DPC charges be liable to pay by consumer.
- 3) Consumer is allowed to pay the accumulated bill in equal monthly installment
- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 04/11/2019

Sd/-  
(Mrs.S.A.Jamdar)  
Member  
CGRF, Kalyan

Sd/-  
(A.P.Deshmukh)  
Member Secretary  
CGRF, Kalyan

Sd/-  
(A.P.Bhavthnkar)  
Chairperson  
CGRF, Kalyan

**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,606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51".
- b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or
- c) delay in compliance of this decision issued under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & 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.