

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
B.E.S. & T. UNDERTAKING

(Constituted under section 42(5) of Electricity Act 2003)

Ground Floor, Multistoried Annex Building,
BEST's Colaba Depot
Colaba, Mumbai - 400 001
Telephone No. 22853561

Representation No. N-FS-332-2017 dtd. 14/09/2017

Mr. Ashwani Kumar MishraComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Shri S.V. Fulpagare, Member

On behalf of the Complainant : 1. Shri Ashwani Kumar Mishra

On behalf of the Respondent : 1. Shri S.M. Deshmukh, Supdt. CC(F/S)
2. Shri S.S. Shinde, AAM, CC(F/S)

Date of Hearing : 02/11/2017

Date of Order : 07/11/2017

Judgment by Shri. Vinayak G. Indrale, Chairman

Mr. Ashwani Kumar Mishra, 205, 2nd floor, plot-3, Lucky Star Apartment, Jerbai Wadia Road, Bhoiwada, Parel, Mumbai - 400 012 has come before the Forum for Dispute regarding high bill amounting to Rs. 5,196.00 in the billing month of April, 2017 pertaining to a/c no. 577-265-015.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on dtd. 07/10/2016 dispute regarding high bill amounting to Rs. 5,196.00 in the billing month of April, 2017 pertaining to a/c no. 577-265-015. The complainant has approached to CGRF in schedule 'A' dtd. NIL (received by CGRF on 13/09/2017) as the complainant was not satisfied by the remedy provided by the IGR Cell of Distribution Licensee.

**Respondent, BEST Undertaking in its written statement
in brief submitted as under :**

- 1.0 The complainant Shri. Ashwani Kumar Mishra came before the Forum regarding his dispute about high bill amounting to Rs 5196/- for 582 units consumed in the billing month April 2017 pertaining to a/c 577-265-015 and he was not heard during hearing of Annexure 'C' complaint by IGR cell of the ward.
- 2.0 Vide letter dated 23/05/2017, the complainant has complained about high bill amounting to RS 5196/- for the month April 2017 for 582 units consumed. In this complaint he further requested to test the meter and replace the same if found faulty. A/c no 577-265-015 stands in the name of Aswani Kumar Mishra, whereas as per Performa of Annex 'C' , name of consumer's name is Trimurty Enterprises.
- 3.0 During the investigation on 31/05/2017 in presence of Smt Niranjan Mishra against the complaint letter, it was observed that, the premises being used as Guest House for patients and connected load was Tube lights -4nos, CFL-14 nos, Fan-2nos, TV-4nos, Fridge-1no, Air Coditioner-1no each of 1ton & 1.5 ton., Wall Fan-4 nos, Compuer-1no, Printer-1no, Aquaguard-3 nos, T.F Lamps 4 nos. She also requested to test the meter in presence of Shri A.K.Mishra as he was not available in Mumbai.
- 4.0 As per telephonic appointment on 08/06/2017, meter number B150947 was tested for accuracy on site in presence complainant's representative Miss Suman Mishra and found working within permissible limits of accuracy. Same test report was acknowledged by her. Thus there is no need of replacement of existing meter B150947 by new one.
- 5.0 From the consumption pattern it is observed that average monthly consumption of the consumer is around 278 units for the period April 2016 to February 2017. Then there is increase in consumption 582 units in April 2017, 767 units in May 2017, 501 units in June 2017 and 352 units in July 2017. Thus there is variation in consumption pattern as per uses of electricity. Also the monthly consumption was 364 units in November 2016 and 407 units in December 2016. This is contradictory of consumer's statement that, his consumption never exceeded 292 units in past.
- 6.0 The consumer was informed to attend the hearing in the matter on 07.07.2017 vide letter 29/06/2017. On the date of hearing on 07.07.2017 consumer's son Shri Ashish Mishra submitted letter to extend the date of hearing by one month as his father met to an accident and requested to give new date, which should be at least one month from this day. There is time limit for redressal of complaint in Annex 'C' form, ex-party order was given by IGR same was informed to the complainant vide letter dated 02/08/2017 and requested him to pay Rs 7650/- till that date.

REASONS

- 1.0 We have heard the arguments of the complainant Shri Ashwani Kumar Mishra in person and for the Respondent BEST Undertaking Shri S.M. Deshmukh, Supdt. CC(F/S) and Shri S.S. Shinde, AAM, CC(F/S). Perused the documents filed by the complainant along with Schedule 'A' and written submission filed by the Respondent BEST Undertaking annexed with documents marked at Exhibit 'A' to 'L'.
- 2.0 The complainant has vehemently submitted that the electricity bill issued for the month of April 2017 for units of 582 amounting to Rs. 5,196.00 is very excessive as presently he did not receive the electricity bill for more than 200-300 units. He has further submitted that he had made grievance before IGRC who has decided the matter ex-parte. The Respondent BEST Undertaking has submitted that they have decided the matter on merits. The complainant had also made a capital about the lengthy written statement filed by the Respondent BEST Undertaking in which they have made allegation that the complainant is a habitual one.
- 3.0 We find some substance in the contention of the complainant as the Respondent BEST Undertaking unnecessarily submitted lengthy written statement in which most of the part is not relevant to this complaint. We are saying so because the complainant in short put up his grievance regarding electricity bill issued for the month of April 2017 for 582 units amounting to Rs. 5,196.00.
- 4.0 In order to appreciate the grievance of the complainant, we have cautiously gone through Meter Ledger Folio for a period from September 2014 to October 2017. It reveals that in the month of October 2014, the complainant consumed electricity units 530 of which electricity charges were Rs. 4,864.00. It further reveals that in the month of May 2017 the complainant consumed electricity units of 767 for which electric bill issued was Rs. 7,366.00. Considering the electricity consumed through meter no. B-150947 by the complainant during the period of September 2014 to October 2017, in any case it cannot be held that the bill issued for the month of April 2017 of 582 units is excessive. On the contrary considering the summer season, certainly the complainant might have consumed more electricity than that of winter and other season. If viewed from this angle, we do not find any grievance in the complaint.
- 5.0 We have gone through the record and it reveals that after receiving the complaint of high bill the Respondent BEST Undertaking tested the meter at site and it was found OK. It reveals that on 31/05/2017, the Respondent BEST Undertaking visited the premises of the complainant for testing the meter and wife of the complainant objected for that and requested to give time as the complainant was out of station. The Respondent BEST Undertaking has agreed and accordingly they tested the meter on 08/06/2017. The meter was found OK and working within permissible limit. The said site testing report at Exhibit 'C' bears the signature of Mrs. Suman Mishra which shows that meter was tested on site in presence of family member of the complainant. If the complainant had any grievance about the site testing report he ought to have

insisted the Respondent BEST Undertaking to test the meter in lab in his presence. The record goes to show that the complainant had never made any request to the Respondent BEST Undertaking to test the meter in lab, because in subsequent month he received bill within normal range. That might be the reason why the complainant did not go for testing the meter in lab.

- 6.0 In the above said circumstances we do not find any grievance in the complaint. Before parting to pass the final order, we think it just and proper to observe that the complainant should pay arrears of electricity charges within 15 days with a view to escape from disconnection of electricity supply. In result we pass the following order.

ORDER

1. The complaint no. N-FS-332-2017 dtd. 14/09/2017 stands dismissed.
2. Copies of this order be given to both the parties.

Sd/-
(Shri S.V. Fulpagare)
Member

Sd/-
(Shri V.G. Indrale)
Chairman