

**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. S-D-322-2017 dtd. 12/06/2017**

The Secretary,  
Om Shree Nivas CHS., .....Complainant

V/S

B.E.S.&T. Undertaking .....Respondent

**Present**

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Shri S.V. Fulpagare, Member
2. Shri S.M. Mohite, Member, CPO

On behalf of the Complainant : 1. Shri Rajesh Gangakhedkar

On behalf of the Respondent : 1. Shri Yogeshkumar V. Kapadia, Dy. Engr. CC(D)  
2. Smt. S.S. Redkar, AAM CC(D)

Date of Hearing : 13/07/2017

Date of Order : 02/08/2017

**Judgment by Shri. Vinayak G. Indrale, Chairman**

The Secretary, Om Shree Nivas CHS., 42-44, Bandu Gokhale Road, Girgaum, Mumbai - 400 004 has come before the Forum for dispute regarding high bill pertaining to a/c no. 448-147-006

**Complainant has submitted in brief as under :**

The complainant has approached to IGR Cell on 03/04/2017 for dispute regarding high bill pertaining to a/c no. 448-147-006. The complainant has approached to CGRF in schedule 'A' dtd. 07/06/2017 (received by CGRF on 09/06/2017) 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 :**

- 2.0 The Secretary, Om Shree Niwas CHS Ltd came before the Forum regarding his dispute of high bill for the period July 2016 to January 2017 pertaining to A/c 448-147-006. The complainant is using electricity for fire-fighting purpose.
- 3.0 The electric supply is given to the complainant's premises through meter No M038045 under a/c number 448-147-006 for firefighting purpose. While taking meter reading in month of July 2016, meter M038045 found display defective and consumer was billed on estimated reading. Vide complaint letter dated 08/08/2016, the complainant has complained about excess electricity bill amount of Rs 9570/- against normal monthly bill around Rs 480/- per month.
- 4.0 The complainant was informed vide letter dated 26/08/2016 that, " during site inspection on 01/08/2016 , meter M038045 found display defective and needs to be replaced. We are shortly arranging to replace the said meter by duly tested new meter ". Meter M038045 was replaced by meter N168046 on 20/10/2016 vide ID 2859020. New meter was reflected in the billing system in the month February 2017.
- 5.0 As per P.O. 235, necessary debit amounting to Rs 2923.20 & credit amounting to Rs 50,436.28 for the period 07/07/2016 to 08/12/2017 were carried out. This has resulted in net credit of Rs 47,513.08. Same will be reflected in ensuing bill. The complainant had paid of 13,000/- towards electricity bills. Same will be credited in the complainant's bill through the system after necessary db / cr. Also delay payment charges and interest charges levied during the disputed period will be refunded after due procedure.

**REASONS**

- 6.0 We have heard the arguments of the complainant, represented by the Secretary of Om Shree Nivas CHS and for the Respondent BEST Undertaking Shri Yogeshkumar V. Kapadia, Dy. Engr. CC(D) and Smt. S.S. Redkar, AAM CC(D), perused documents filed by either parties and written statement filed by the Respondent BEST Undertaking along with documents marked at Exhibit 'A' to 'E'.

- 7.0 After hearing the argument it is admitted fact that although the meter was affixed for fire-fighting purpose, the Respondent BEST Undertaking wrongly billed for the month of July 2016 to February 2017 and issued wrong bills charging 488 units as estimated monthly bill as meter was showing no display. The complainant has submitted that since installation of the meter to till June 2016 society was getting fixed charges bill in between Rs. 400-500. The Secretary, of the complainant further submitted that unless and until some untoward incident of fire would take place in that case only there is possibility of consumption of electricity through this meter. Thus the Respondent BEST Undertaking has admitted that due to faulty meter there was wrong billing for the month of July 2016 to February 2017 and therefore they have prepared dr/cr note and given net credit of Rs. 47,513.00 which has been reflected in the electricity bill for the month of July 2017. The Respondent BEST Undertaking has further assured that they would credit DPC and interest charged on wrong bill to the complainant in electricity bill for the month of August 2017. Thus it appears that during the pendency of grievance, the Respondent BEST Undertaking has resolved the dispute by giving credit of Rs. 47,513.00.
- 8.0 Now the question which remains for consideration is that about amount of Rs. 13,000.00 deposited by the complainant on 30/09/2016. The complainant in Schedule 'A' has prayed to refund excess amount paid with interest and prayed for compensation of mental agony but it is pertinent to note that the complainant did not utter a single word regarding refund of excess amount as well as compensation of mental agony. It is because of fact that the Respondent BEST Undertaking has resolved the dispute of wrong bill during pendency of grievance before the Forum. However, in correspondence made by the complainant dtd. 24/01/2017 and 03/03/2017, the complainant requested to adjust the said amount of Rs. 13,000.00 against the subsequent month's payment. So considering the said fact coupled with the fact that the complainant is Co-Op. Hsg. Soc., we think it just and proper to direct the Respondent BEST Undertaking to adjust the said amount of Rs. 13,000.00 towards future electricity charges.
- 9.0 Having regard to the above said reasons, the dispute of the complainant is resolved during the pendency of the grievance before the Forum, the complaint deserves to be disposed off with the directions to the Respondent BEST Undertaking to adjust an amount of Rs. 13,000.00 towards future monthly electricity charges. In result we pass the following order.

#### **ORDER**

1. The complaint no. S-D-322-2017 dtd. 12/06/2017 disposed off.
2. The Respondent BEST Undertaking is directed to give credit of DPC and interest charged on wrong bill for the month of July 2016 to February 2017 in ensuing bills, if not given in electricity bill for August 2017.

3. The Respondent BEST Undertaking is directed to adjust an amount of Rs. 13,000.00 paid by the complainant on 30/09/2016 towards future monthly electricity charges payable by the complainant.
4. The compliance of this order to be informed to this Forum within a period of one month there from.
5. Copies of this order be given to both the parties.

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

Sd/-  
(Shri S.M. Mohite)  
**Member**

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