

**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-G(N)-229 dtd. 26/06/2014.**

Smt. Shakuntala G. Dhanu .....Complainant

V/S

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

**Present**

Chairman

Quorum : Shri R U Ingule, Chairman

Member

1. Shri M P Thakkar, Member
2. Shri S.M. Mohite , Member

On behalf of the Complainant : 1. Shri Rajesh L Shah  
2. Shri Davinder Singh

On behalf of the Respondent : 1. Shri Shri S.S. Bansode, DECC(G/S)  
2. Shri M.H. Manohar, AAMCC(G/S)

Date of Hearing : 30/07/2014 & 20/08/2014

Date of Order : 05/09/2014

**Judgment by Shri. R.U. Ingule, Chairman**

Smt. Shakuntala G. Dhanu, Gr. Flr., Plot 201, Janabai Chawl, Mori Road, Nr. Mahim Bus Termianl, Mahim, Mumbai - 400 016 has come before the Forum for grievances regarding issuance of two electricity bills pertaining to A/c no.638-512-085 & 638-512-209 having same address and transfer of wrongly paid electricity bills pertaining to a/c no. 638-512-209 into her a/c no. 638-512-085.

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

1.0 The complainant has approached to IGR Cell on 07/10/2013 for dispute regarding issuance of two electricity bills pertaining to A/c no.638-512-085 & 638-512-209 having same address and transfer of wrongly paid electricity bills pertaining to a/c no. 638-512-209 into her a/c no. 638-512-085. The complainant has approached to CGRF in schedule 'A' dtd. 17/02/2014 (received by CGRF on 24/06/2014) as no remedy is provided by the IGR Cell Distribution Licensee regarding her grievance.

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

2.0 Electric supply was rendered to Late Shri Gajanan V. Dhanu through meter no. D790227, a/c no. 638-512-085 from 04/08/1982 for residential purpose for his premises under reference. Then meter no. D790227 was replaced by meter no. D868289 on 04/06/1986. Electric supply through meter no. D868289 was disconnected on 12/08/2002 for the reason non-payment of electricity dues.

3.0 Electric supply to the complainant's premises under reference was reconnected on 15/11/2002 through meter no. E021709 and disconnected for non-payment of electricity dues on 14/01/2011.

3.1 Even after demise of Shri Gajanan V. Dhanu in the year 2002 while applying for reconnection for supply, the complainant had applied in the name of Shri Gajanan V. Dhanu. Thus facts were concealed by her.

4.0 Again electric supply was reconnected in the name of the complainant while requisition no. 39964 dtd. 01/04/2011 through meter no. B105613 on 08/07/2011.

5.0 In the year 2012 "VIDUSHI System" has been adopted in BEST. Due to some technical reason, the facility of category of lapse reconnection was discontinued and all lapse reconnections were treated as new connection (tapping) cases. Hence, two number of accounts were generated for the complainant's premises.

6.0 The Undertaking has taken cognizance of two different accounts of the complainant and initiated action to discontinue electricity bill pertaining to a/c no. 638-512-209 and necessary debit / credit are being carried out.

**REASONS**

7.0 We have heard Shri Amol Mahimkar for the complainant consumer and for the Respondent BEST Undertaking Shri S.S. Bansode, DECC(G/S) alongwith Shri M.H. Manohar, AAMCC(G/S). Perused documents placed before us.

8.0 At the outset this Forum observes that the facts involved in this case have been admitted by both the parties to this litigation. Therein, this Forum observes that the electricity was supplied to the premises of Late Shri Gajanan Dhanu in the past with a/c no. 638-512-085. Shri Gajanan Dhanu, husband of the present complainant consumer died on 11/04/2002. This Forum finds placed before us his death certificate at Exhibit 'F'. Significant to observe that even after the death of Late Shri Gajanan Dhanu, the present complainant consumer however applied for reconnection on 12/09/2002 in the name of her late husband. As such at the relevant time she concealed the fact of death of her husband. As per the said requisition placed before us at Exhibit 'C' at page 19/C, meter no. E021709 was connected and it was also removed for non-payment of electricity charges on 14/01/2011. At this juncture it is significant to observe that the present complainant consumer has paid the electricity bill till the date of removal of this meter. However, she has not paid any electricity charges thereafter.

9.0 This Forum further observes that after removal of the meter on 14/01/2011 on the ground of non-payment of electricity charges, the present complainant consumer applied for reconnection on 26/05/2011. We find a requisition placed before this Forum at Exhibit 'D' at pg. no. 37/C under her signature. The Respondent BEST Undertaking has submitted before this Forum that from the year 2012 it has adopted a new electronic system viz. "VIDUSHI System" and therefore it was necessary on its part to feed all the available data in respect of its consumer in the said computer system. At this time due to bonafide lapse on its part two accounts were generated under the said "VIDUSHI System" i.e. i) a/c no. 638-512-209 and ii) a/c no. 638-512-085. The Respondent BEST Undertaking further submits that later on taking the cognizance of such lapse it has already discontinued issuance of electricity bill under a/c no. 638-512-209.

10.0 In view of the aforesaid submission made on behalf of the Respondent BEST Undertaking, we find a merit in the contention raised on behalf of the complainant consumer that for three months the complainant consumer has been served with electricity bill under both the account numbers referred to above and as such she has been erroneously made to pay the electricity charges in excess. This Forum also find an appropriate action being taken by the Respondent BEST Undertaking for correcting the bonafide lapse on its part by giving the credit of the electricity charges erroneously collected from the present complainant consumer.

11.0 In this context we find that while correcting the bonafide lapse on its part, the Respondent BEST Undertaking while serving the electricity bill for the month of August 2014 has debited the account of the complainant for Rs. 29,514.39 and at the same time given a credit of Rs. 37,281.57 on the ground of slab benefit and further credit of Rs. 17,659.63 and Rs.2,124.32 has been given to the present complainant on the ground of interest and DP charges respectively. As such we find that from the electricity charges of Rs. 1,20,290.00 for the month of July 2014 in the next bill of August 2014 it has deducted the net credit amount of Rs. 27,581.11. The Respondent BEST Undertaking has placed before us the details of the aforesaid debit / credit amounts at pg. 23,29 & 31.

12.0 Significant to observe at this juncture that an adjournment was granted by this Forum to enable the representative of the present complainant consumer Shri Amol Mahimkar to verify the credit amount worked out by the Respondent BEST Undertaking and this Forum has observed in the next sitting the said representative being convinced in respect of the adjustment made by the Respondent BEST Undertaking. To sum up, this Forum finds that as agreed between the parties, the present complainant consumer is liable to pay electricity charges in arrears of Rs. 99,570.00 as detailed in the electricity bill for the month of August, 2014.

13.0 During the course of hearing, the representative Shri Amol Mahimkar for the complainant consumer has prayed this Forum that an appropriate installment may be granted in favour of the complainant, to enable her to pay the entire electricity charges amount taking into consideration her frail and fragile financial condition. On perusing the papers placed before us and on considering the submission made on behalf of the complainant consumer, this Forum proceeds to pass the following order.

#### **ORDER**

1. The complaint No. N-G(N)-229-2014 stands partly allowed.
2. The complainant is hereby directed to pay the electricity charges of Rs. 99,570.00 as detailed in the bill for the month of August 2014 in 12 equal monthly installments along with her current monthly electricity charges.
3. The Respondent BEST Undertaking has been directed not to levy any interest and DP charges on the amount of Rs. 99,570.00, reflecting in the electricity bill for the month of August 2014.
4. The Respondent BEST Undertaking has been directed to report the compliance of the instant order within a period of one month there from.
5. Copies of this order be given to both the parties.

(Shri S.M. Mohite)  
Member

(Shri M P Thakkar)  
Member

(Shri R U Ingule)  
Chairman