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**Office of Electricity Ombudsman**  
(A Statutory Body of Govt. of NCT of Delhi Under the Electricity Act, 2003)  
**B-53, Pashimi Marg, Vasant Vihar, New Delhi- 110057**  
(Phone No. 32506011, Fax No. 26141205)

**Appeal No. F.ELECT/Ombudsman/2007/208**

Appeal against Order dated 25.07.2007 passed by CGRF – BRPL in case no CG/169-07.

In the matter of:

Shri Bishan Lal Wadhwa – **Appellant**

**Versus**

M/s BSES Rajdhani Power Ltd. – **Respondent**

Present :

**Appellant** : Shri Bishan Lal Wadhwa attended alongwith his Advocate  
Shri Shiv Kumar Kohli

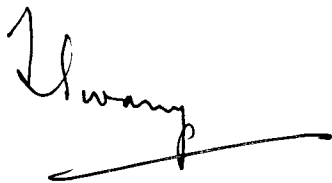
**Respondent** : Shri Hemant Verma, Business Manager,  
Shri Manish Singh, Commercial Manager and  
Shri Pradeep Gupta, Legal Retainer, on behalf of BRPL

**Date of Hearing** : 11.12.2007

**Date of Order** : 13.12.2007

**ORDER NO. OMBUDSMAN/2007/208**

- 1) The Appellant Shri Bishan Lal Wadhwa, has filed this appeal against the order of the CGRF-BRPL dated 25.07.2007 in case no. CG/169-07 stating that the cause of the appeal arises out of the impugned order passed by the CGRF on an arbitrary, illegal and negligent act by the Respondent, in raising a bill for a fake and wrong outstanding amount of Rs.1,19,280/-. The Appellant has prayed for correction of the outstanding amount of Rs.1,19,280/- and for award of compensation towards cost of litigation and the mental agony and harassment caused to him by the Respondent.

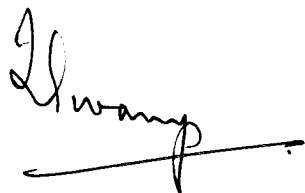


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2) The background of the case is as under:

- (i) The Appellant has a three phase electric connection K. No. 2511M0680042 for a sanctioned load of 5.59 kw, for running an atta chakki at his Shop No. B-5, Shopping Centre, Dakshin Puri, New Delhi – 110062
- (ii) The old meter at the Appellant's premises was replaced on 06.02.2004. Though no readings were recorded from the new meter by the Respondent, but bills were issued on assumed readings for the months of June and July 2004. When the Appellant approached the office of the Respondent, he was advised to deposit Rs.50/- for a special reading. The Appellant deposited Rs.50/- on 28.06.2005 but no special reading was taken.
- (iii) The reading recorded on 27.04.2005 was 11725 units and the next reading recorded on 27.05.2005 was 17021 units. Thus showing a consumption of 5296 units in one month. The Appellant again approached the office of the Respondent and filed a complaint about the inflated reading, for which he was advised to get his meter tested and he deposited Rs.100/- on 05.09.2005 for meter testing. Though no meter testing was done, the Respondent replaced the meter on 20.12.2005. The last reading recorded by the old meter was abnormally high i.e. 866751. As such the meter was reported to be faulty at the time of replacement.
- (iv) As no action was taken by the Respondent for correction of the bills, the Appellant filed a complaint before the CGRF. The Learned CGRF took into consideration the reading of 25336 recorded on 04.12.2005 as correct, and ordered that the bills for consumption of 16640 units (25336 – 8696) for the period from 28.11.2004 to 04.12.2005, be raised.

Not satisfied with the order of the Learned CGRF, the Appellant has filed this appeal



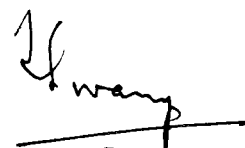
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- 3) After scrutiny of the appeal, the records of the CGRF, and the reply/comments submitted by the parties the case was fixed for hearing on 11.12.2007.

On 11.12.2007, the Appellant Shri Bishan Lal Wadhwa was present in person alongwith his Advocate Shri Shiv Kumar Kohli. On behalf of the Respondent, Shri Hemant Verma, Business Manager, Shri Manish Singh, Commercial Manager and Shri Pradeep Gupta, Legal Retainer were present.

- 4) Both parties were heard. The Appellant stated that he deposited Rs.50/- for a special reading and Rs.100/- for meter testing when he observed that a consumption of 5296 units was recorded by the meter for the period 27.04.2005 to 27.05.2005, but the Respondent did not take any special reading and replaced the meter only on 20.12.05 without testing the meter. Respondent has not corrected the bills raised on account of inflated readings, despite requests. The Appellant stated that the disputed period is 27.04.2005 to December 2005 when the meter remained defective. Prior to 27.04.2005, he has no dispute regarding the readings, and he has been regularly paying the bills.
- 5) The Respondent confirmed that the meter was replaced on 20.12.2005 with "meter faulty" remarks. The Respondent could not give any satisfactory reply as to why the special reading was not taken or meter testing carried out, despite the Appellant having deposited the required fees. The Respondent officials could not also produce the meter test reports also.
- 6) In view of the clear lapses on the part of the Respondent, it is decided that the assessment bill be raised for the period 27.04.2005 to 20.12.2005 when the meter remained defective, based on the average consumption for one year prior to 27.04.2005. No LPSC be charged while revising the bill. A token compensation of Rs.500/- is also given to the Appellant for harassment suffered by him.

**The CGRF order is accordingly set aside.**

Dated 13<sup>th</sup> December 2007.

  
(Suman Swarup)  
Ombudsman