

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/2007/209

Appeal against Order dated 17.08.2007 passed by CGRF – BRPL in CG No.187/2007 (K.No.2551 L5310070).

In the matter of:

Shri Jagannath - **Appellant**

Versus

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

Present :

Appellant : Shri Jagannath attended in person

Respondent : Shri Asit Tyagi, Business Manager, (Hauz Khas),
Shri Dhiraj Kumar, Legal Officer

Date of Hearing: 12.12.2007, 27.12.2007

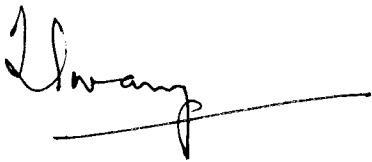
Date of Order : 31.12.2007

ORDER NO. OMBUDSMAN/2007/209

1. The Appellant Shri Jagannath R/o House No. 95, Yusuf Sarai, New Delhi – 110030 has filed this appeal against the orders of CGRF-BRPL dt. 17.08.07 as his petition was partly allowed by granting a token compensation of Rs.500/- against the claim of Rs.5,00,000/-, for causing mental agony, harassment and inconvenience due to disconnection of supply for months together because of the wrong bill issued to him.
2. The background of the case is as under
 - i) The meter K.No. 2551 L531 0070 (New) installed at the Appellant's premises replaced the earlier faulty meter on 27.1.06, and in the meter change report a reading of 67150 was recorded instead of 6715. Based on the wrong reading of 67150 an inflated bill for Rs.2,66,470/-

was issued in February 2006. The Appellant approached the office of the Respondent for rectification of the bill but he was advised to deposit a sum of Rs.5000/- in anticipation of settlement of the dispute. A sum of Rs.5000/- was deposited by the Appellant on 18.5.06. As per records, the meter had stopped since July 1995 at the reading of 6710.

- ii) In November 2006, the Respondent officials disconnected the supply and no action was taken to revise the bill nor was the supply restored. The legal notice dt. 13.4.07 sent by Respondent was also not replied to.
 - iii) Thereafter the Appellant filed a complaint before the CGRF on 19.6.07. In its order dated 17.08.2007, CGRF allowed a token compensation of Rs.500/- for harassment caused to the Appellant and directed the Respondent to assess the defective period only for six months prior to 27.1.06, on the basis of consumption recorded by the new meter from 27.1.06 to 15.1.07.
 - iv) Not satisfied with the CGRF's order the Appellant has filed this appeal by stating that the CGRF failed to compensate the appellant appropriately.
3. After scrutiny of the appeal, records of the CGRF and further written submissions of both the parties, the case was fixed for hearing on 12.12.07.
- On 12.12.07 Appellant was present in person, and on behalf of Respondent Sh. Tyagi Business Manager (Div.) Hauz Khas along with Sh. Dhiraj Kumar Legal Officer were present.
4. During hearing the Respondent produced photographs of the premises to show that the meters are not accessible. It was further informed that the meters are not approachable for taking readings, or for carrying out any maintenance work as the approach path is through a portion of the premises which is always kept locked. Both the meters are in the name of late Sh. Badlu, father of the Appellant. The property is also reported to be under dispute. The Appellant stated during hearing, that the dispute has been resolved between him and his brother by way of a registered partition deed, relinquishment deed and mutation certificate etc. The Appellant prayed for time to file the ownership documents and for arguments through his advocate.
5. It was decided that Respondent will carry out the site inspection to identify a common area for installation of ground floor and first floor meters, so that these are readily accessible for recording readings, and submit this report before the next date of hearing. The Appellant and other residents were to be given notice to assist in the site inspection. The Appellant was directed to file the ownership and other documents by 19.12.07 and the case fixed for further hearing on 27.12.07.

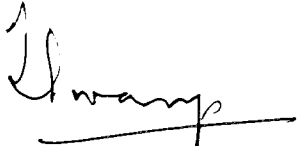


6. On 27.12.07 the Appellant Sh. Jagannath was present in person. Respondent was present through Sh. Tyagi, Business Manager, Hauz Khas (Division) and Sh. Dhiraj Kumar, Legal Officer.

Both parties were heard. The site inspection and report of shifting of meter submitted by Respondent was taken on record. The partition deed along with copy of death certificate, relinquishment deed and mutation certificate filed by the Appellant were also taken on record.

7. After hearing both the parties it is seen that the existing meters are in the name of late Sh. Badlu father of the Appellant. These meters need to be transferred in the name of the new owners as per the partition deed, after completing the required formalities. The meters should be installed in a designated common area for easy accessibility.
8. The Appellant in his appeal has prayed for compensation of Rs.5,00,000. After considering all facts on record and the averments of the parties, I do not consider that any further compensation, in addition to that awarded by CGRF, is called for. The case is accordingly disposed off.

31st December 2007.


(Suman Swarup)
Ombudsman