

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-9.

No. CGRF/Complaint No. 1423/4/20/038

Dated:-

Complaint No.:- 1423/4/20/038
Date of Admission:- 29.10.2020
Quorum:- Er. M.G Sharma, Chairman.
Er. Vikas Gupta, Member.

M/s Shivalik Hotel, Village Mando-Matkanda,
Post Office Dharmapur, Tehsil Kasauli,
District Solan (HP).

Complainant

V/s.

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Assistant Executive Engineer,
Electrical Sub-Division HPSEBL,
Dharampur, Distt. Solan (HP).

Respondents

Final hearing:-

26.10.2021

Present for:-

Complainant

1. Miss Sana, Advocate vice of Sh. Rahul Mahajan, Advocate

Respondent

1. Sh. Anil Kumar God, Advocate
2. Sh. Kamlesh Saklani Law officer

Date of Decision: -

15.11.2021

Order

1. The complainant has connected load 49.80KW and contract demand 30 KVA.
2. The Applicant hotel energy connection was disconnected on the orders of the National Green Tribunal along with other hotels in kasauli area w.e.f. April 2017 till September, 2018. The HPSEBL licensee only restored the energy connection of the applicant's hotel w.e.f. 28.09.2018. From April, 2017 till September, 2018 the energy connection remained disconnected.
3. The applicant energy connection was restored in September 2018 and only thereafter the applicant's hotel was allowed to run with seven rooms by the Government of Himachal Pradesh.
4. The applicant hotel was there after again closed from 20.3.2020 onwards for more than 5 months on account of COVID-19 pandemic/lockdown.
5. In the energy bill for the month of May, 2020. The arrears were to the tune of Rs.4,06,571.91/-. The applicant submitted a representation that arrears in the energy bill for the month of May 2020 has wrongly been shown.
6. On 09.07.2020 disconnection letter was issued by the Respondent on the outstanding amount of Rs. 4,38,831/- subsequently energy bill amounting to Rs. 4,54,027/- have been issued in the month of October 2020.
7. The complainant contested the aforesaid bill and alleged it as wrong bill. He has further claimed that bills are for the period when there is disconnection of his premises on account of orders of NGT and also on account of COVID -19 pandemic.
8. Respondent has again issued disconnection order on dated 22.10.2020 on account outstanding dues.
9. Complainant has requested to quash & set aside the notice dated 09.07.2020 vis-à-vis disconnection of electricity connection as well as to quash notice dated 22.10.2020 vide which amount of Rs. 4,53,851/- have been demanded and also demanded to exempt payment of demand charges w.e.f. April 2017 to September 2018 as per disconnection of energy on account of orders of NGT as well also for period of COVID-19 w.e.f. March 2020 till ending September 2020.

- 10.** Respondent has effected TDCO on dated 6.05.2017 on the direction of TCP, Solan. RCO was made on dated 28.09.2018. Therefore, there was no electricity in the hotel w.e.f. 06.05.2017 to 28.09.2018.
- 11.** According to Respondent, the consumer has not deposited the energy bill for the month of May 2017 amounting to Rs. 21,164/-/- He has further not deposited the bills w.e.f. June 2017 to September 2018 Rs. 68,498/-. When the connection was reconnected. However the bills have been issued to the complainant every month adding outstanding amount, but he failed to deposit the same resulting in accumulation of arrear in the bill of September, 2018.
- 12.** Consequently the bills amounting to Rs. 5,57,912/- have been accumulated up to December, 2020 due to non payment of energy bills except of Rs. 2,65,297/- which had been paid only by the complainant.
- 13.** Due to making non payments, the email have been made to complainant by the Respondent on 23.10.2020 at addressed to avtansh7@Gmail.com where in complete energy bill calculation in SAP and payment details were intimated.
- 14.** In view of 10% demand charges payable during the period of disconnection amounting to Rs. 42,449/- have also been credited to complainants energy bill during july 2019 and due exemption of demand charges for a period of six month have been given to Complainant during COVID-19 period i.e. w.e.f. 01.04.2020 to 01.10.2020 by the Respondent.
- 15.** The Forum has directed vide its interim order dated 24.09.2021 to sort out the mismatching of the amount outstanding demanded by the Respondent Board and payment made by the complainant by sitting together after reconciling the account of bills and the outcome of the same be brought out to the knowledge of Forum on next date of hearing i.e. on 26.10.2021.
- 16.** On 28.10.2021, the outcome of bills raised w.e.f. Feb-17 till September -2021 entered amount by HPSEBL official in their books, the amount not entered in the books agreed by HPSEBL officials compound interest levied in addition to principal as well as rebate. Which was charged extra by HPSEBL. Based on this joint statement Rs. 79638/- has found excess payment made by M/s Shivalik Hotel i.e. Complainant to Respondent HPSEBL.

17. Both the parties are heard at length based on the facts and circumstances and record made available before the Forum have been gone through. It has been found that the statement dated 12.10.2021 supplied by the Respondent and Complainant seems to be in order which have been provided before the Forum on 28.10.2021 is placed on the record of case file. Respondent HPSEBL is directed to adjust the excess payment of Rs. 79638/- taken from the Complainant to be adjusted in the forthcoming energy bills as per statement.

18. In terms of above, the complaint is disposed of. The judgement reserved on dated 28.10.2021 released on dated 15.11.2021.

The file is consigned to the record room along with original copy of the order. The certified copy of order be kept in safe custody in the folder of orders. Certified copies of this order be supplied to both the parties.

Place: - Shimla

Dated: -15.11.2021

Sd/-

(Vikas Gupta)
(Member)

Sd/-

(M.G. Sharma)
Chairman

Notice

Registered
CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI SHIMLA-171009.
No. CGRF/Complaint No. 1423/4/20/038 **Dated:-**

M/s Shivalik Hotel, Village Mando-Matkanda,
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Complainant

V/s.

HPSEBL & Others.

Respondents

Complaint No. 1423/4/20/038

1. The Executive Director (Pers.),
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2. The Assistant Executive Engineer,
Electrical Sub-Division HPSEBL,
Dharampur, Distt. Solan (HP).

Respondents

The Certified copy of final order dated 15.11.2021 passed by the Hon'ble Forum in the aforesaid complaint is enclosed find herewith for further necessary action at your end please. The compliance be reported/ intimated within one month after the receipt of order in the office.

DA:-As above.

Secretary,
Consumers Grievances Redressal Forum,
HPSEBL, Kasumpti Shimla-9.