

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-9.

No. CGRF/Complaint No. 1423/1/21/056

Dated:-

Complaint No.:- 1423/1/21/056
Date of Admission:- 18.03.2021
Quorum:- Er. M.G Sharma, Chairman.
Er. Vikas Gupta, Member.

M/s Missus More Resort Private Ltd.
Mando-Matkanda, Dharmapur,
Tehsil Kasauli, District Solan (HP).

Complainant

V/s.

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Superintending Engineer,
Operation Circle, HPSEBL,
Solan Distt. Solan (H.P)
3. The Executive Engineer,
Electrical Division HPSEBL,
Parwanoo Distt. Solan (H.P)
4. The Assistant Executive Engineer,
Electrical Sub - Division HPSEBL,
Dharampur Tehsil Kasauli, Distt. Solan.

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 is consumer of electricity of HPSEBL having connected load 98.8 KW and Contract Demand 80 KVA.
2. The complainant company submitted that the hotel was closed down in the year 2017 after the energy connection was disconnected on 09.05.2017. The complainant approached the HPSEBL in the month of March 2020 to restore the energy connecting which has been disconnected in terms of the orders direction passed by the National Green Tribunal/ Town and Country Planning..
3. The Respondents/distribution licensee asked the complainant to repair the transformer, top up its oil and repair electricity devices and wires and the Respondents told the complainant unless and until the above referred repair work is not done, energy connection cannot be restored.
4. The complainant further hired service of Sh. Upender S/o Sh. Lal Singh A Class contractor of the respondents/ distribution licensee and paid him Rs. 1,50,000/- for the repair work. The complainant company brought the said fact of repair work as asked by the Respondents/ distribution licensee to their notice and the electricity connection were restored in March 2020.
5. As per Complainant due to COVID-19 pandemic engulfed the entire world, resulting in lockdown. When the lockdown was partially lifted the complainant company started to repair / renovate the hotel as it has been closed down since 2017.
6. The Respondent told the complainant company that they had disconnected the electricity on account of nonpayment of energy bills. The energy connection was disconnected on 19.02.2021. The

complainant company was told that energy bill of Rs. 3,42,000/- is due and the energy connection can only be restored once the energy bill is paid.

7. The arrear amounting to Rs. 3,42,000/- have been contested by the complainant by e-mail.
8. Out of Rs. 3,42,000/- , Rs. 1,00,000/- had been deposited by the complainant on 23/2/2021 and the same day reconnection of energy was made effective.
9. The energy connection was again disconnected on 03.03.2021 due to outstanding payment whereas the complainant has objected the outstanding dues reasoning that there was no use of electricity since May-2017 to March -2020.
10. The complainant wrote mail dated 06.03.2021 bringing it to the notice of the CMD HPSEBL that the energy connection has been disconnected without giving any notice and requested that the Sub-Divisional Officer, HPSEBL Dharmpur, Executive Engineer, HPSEBL Parwanoo and Superintending Engineer HPSEBL Solan be requested to restore the energy connection. It was also submitted that the act of the Respondents is wrong illegal and contrary to the provisions of Electricity Act HPERC Regulations and Supply Code.
11. The complainant also submitted that the energy connection was disconnected on 09.05.2017 due to NGT and TCP orders and reconnection was made during March 2020 and also have contest for the energy bills issued during March-2021 as he explained that there was no electricity connection in the premises since May 17 to March 2020.
12. Respondent has Supply MRI data w.e.f. May-17 to March 2020, which shows regular consumption in the meter. From the above MRI Reports and Consumption shown in Energy Bills. It is quite evident that the meter was running at site and recording energy consumption, for which the energy bills were issued to the consumer.
13. In March, 2020 the complainant approached HPSEBL, Sub Division Office in Dharmpur for restoration of electricity but the electricity was not disconnected from HPSEBL end, only the DTR fuse were blown. When the site was checked, it was found that the Transformer requires

- some maintenance. As the Transformer was owned by the complainant himself the complainant was asked to get the repair done at his end. He hired some private contractor for that work and after the repair of the transformer by the complainant , supply was restored. So the statement by the complainant that his meter was disconnected in May, 2017 and restored in March,2020 is completely false.
14. Notice for disconnection on account of nonpayment of outstanding amount of Rs. 303073/- was sent to the complainant on Email ID:- shivalikhotelkasauli007 @gmail.com on 15 Dec 2020 vide Respondent office letter no 1014 dated 15.12.2020 but the consumer did not deposit the pending outstanding amount the connection was disconnected on 19.02.2021 on account of defaulter.
 15. As far as disconnection is concerned, that is due to non payment of outstanding dues by the complainant and it has never been established that disconnection have been effected by the Respondent as per detail of MRI data provided by the Respondent.
 16. On dated 02.03.2021, a meeting was held with the complainant Mr. Ved Garg his friend and Mr. Anil Thakur and his son Mr. Avtansg Garg with Sr. Xen, HPSEBL Parwanoo and AE ESD Dharampur in which all MRI reports and Electricity Bills were shown to the complainant to state that the meter was running at site and energy consumption were continuously shown in bills issued to them and the complainant is liable to pay the Energy bills for the electricity, which has been consumed. Accordingly Respondent requested the complainant to deposit the pending amount as the bills which are correct and strictly as per the consumption of electricity.
 17. The various energy bill have been mailed to consumer on different dates & times, so the fact of knowing outstanding dues can't be denied.
 18. Also the outstanding amount was continuously shown in the bills issued to the consumer as arrear which the consumer cannot deny.
 19. The electricity bills were issued to the applicant every month adding the outstanding amount of the previous month but the applicant did not clear the outstanding amount at any time. Consequently bill of Jan, 2021 amounting to Rs. 3,40,566/- is correct

20. It is clear from May, 2017 to Jan 2021 the complainant has made total payment of Rs. 152564/- only against 426752 amount of bills issued during this period.
21. It is clear that the consumer is misleading to the Hon'ble Forum in this regard and arrear amount shown in the energy bills is due to nonpayment of electricity bills for previous 3 years although complainant consumer is delaying the payment from various years.
22. The Annexure-15, of the detail provided by A.E ESD Dharmpur, which clearly indicate deposit of the billing w.e.f. 02/2018 to 03/2021, out of current bills amounting to Rs. 4,26,752/- only Rs1,52,564/- payment has only been made by the complainant . Therefore the balance is yet to be deposited by the complainant.

Accordingly, it is directed to the complainant to deposit the outstanding amount up to date with Respondent HPSEBL immediately

In aforesaid terms, the complaint is disposed off. 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: -15.11.21

Sd/-
(Vikas Gupta)
(Member)

Sd/-
(M.G. Sharma)
Chairman

Notice

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI SHIMLA-171009.
No. CGRF/Complaint No. 1423/1/21/056

Registered

Dated:-

M/s Missus More Resort Private Ltd.
Mando-Matkanda, Dharmapur,
Tehsil Kasauli, District Solan (HP).

Complainant

V/s.

HPSEBL & Others.

Respondents

Complaint No. 1423/1/21/056

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Dharampur Tehsil Kasauli, Distt. Solan.

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.