

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission
under Section 42(6) of the Electricity Act, 2003)

REPRESENTATION NO. 61 OF 2026

In the matter of high billing

Mahesh Krishnakant Bhanushali Appellant

V/s.

Maharashtra State Electricity Distribution Co. Ltd., Virar (MSEDCL) Respondent

Appearances:

Appellant: Mahesh Bhanushali

Respondent: 1. Umesh Lele, Executive Engineer, MSEDCL, Virar
2. Ravindrakumar Tayade, Additional Executive Engineer (B & R)

Coram: Vandana Krishna [I.A.S. (Retd.)]

Date of hearing: 18th August 2026

Date of Order: 31st August 2026

ORDER5

This Representation was filed on 27th May 2026 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the order dated 7th May 2026 passed by the Consumer Grievance Redressal Forum, Vasai Circle (the Forum) in Case No. 09 of 2026. The Forum rejected the grievance application of the Appellant.

2. Aggrieved with the order passed by the Forum, the Appellant has filed the present representation. An e-hearing was conducted on 18th August 2026 through video conferencing, wherein the Appellant and the Respondent were present. The parties were heard at length. The


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Appellant's submissions and arguments are stated below: *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' where needed.]*

- (i) The Appellant has been a Residential Consumer (No. 001526485510) since 25.11.2014. The particulars of the Consumer are set out below:

Table 1: -

Name of Consumer	Consumer No.	Address	Sanct. Load	Date of Supply	Alleged Abnormal Billing		
					Month	Units	Rs.
Mahesh Krishnakant Bhanushali	001526485510	Flat No.E/704, Avenue (E), Evershine Homes, Global City, Virar (E), Pin-401303	0.74 kW	25.11.2014	Sep-25	323	₹4,152.30
					Oct-25	760	₹14,000.74

- (ii) The Appellant was residing occasionally at his Virar residence. From the date of connection, the monthly consumption recorded and billed was generally in the range of 0 to 90 units. The Respondent replaced the existing meter with a smart meter on 14.07.2025, without the consent or knowledge of the Appellant. Following replacement of the meter, the Appellant was billed for 323 units amounting to ₹4,152.30 for September 2025 and 760 units amounting to ₹14,000.74 for October 2025. Prior to replacement of the meter, the Consumer's account had a credit balance of approximately ₹18,100/- up to August 2025. However, within a short span of two months, the entire credit balance was exhausted due to the substantially increased billing. Such sudden and abnormal increase in consumption and billing was wholly inconsistent with the Consumer's established historical consumption pattern.
- (iii) It is pertinent to mention that similar disputes concerning abnormal billing, removal of the meter and disconnection of electricity supply had arisen earlier, which had compelled the Consumer to approach the Forum in Case No. 49 of 2021 and, thereafter, the Electricity Ombudsman in Case No. 186 of 2022.


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- (iv) Aggrieved by the abnormal and excessive electricity billing following replacement of the meter, the Appellant initially submitted a written complaint dated 20.11.2025 before the Respondent. As no effective action was taken, the Appellant submitted a reminder dated 01.12.2025. However, despite the said complaints, no effective action or satisfactory response was provided by the Respondent for several months.
- (v) Aggrieved by the abnormal billing, the Appellant filed a grievance before the Forum on 04.03.2026, seeking revision of the bills for August and September 2025 and compensation of ₹10,000/-. During the pendency of the proceedings before the Forum, the electricity supply to the Consumer's premises was disconnected on 23.03.2026, in the absence of the Consumer, allegedly towards outstanding arrears of only ₹340.22, without serving any prior statutory notice. The Appellant states that the said amount had already been paid through the official Mahavitaran Mobile Application on 16.03.2026. Proof of payment, along with relevant screenshots, was immediately forwarded to the Distribution Licensee and the Forum on 23.03.2026. Despite repeated communications and follow-ups, the electricity supply remained disconnected for approximately nine days.
- (vi) Subsequently, on 31.03.2026, the Respondent informed the Appellant that the payment transaction had allegedly failed and that the amount had been automatically refunded. The Respondent communicated the alleged payment failure only after approximately seven days, resulting in continued deprivation of an essential electricity supply.
- (vii) The Appellant states that no SMS alert, mobile application notification, email, or any other communication regarding the alleged payment failure or refund was received. The Appellant further submits that the mandatory notice under Section 56(1) of the Electricity Act, 2003, requiring 15 clear days' notice prior to disconnection, was never served upon the Appellant. The burden of establishing due service of such statutory notice lies upon the Distribution Licensee. However, no documentary evidence of service of the statutory notice was produced before the Forum. On the contrary, the Appellant placed on record screenshots, communications and other documentary evidence demonstrating the delay,


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inaction, improper disconnection, delayed restoration of supply and deficiency in service on the part of the Distribution Licensee.

- (viii) The Forum, vide its Order dated 07.05.2026, rejected the grievance application without properly appreciating the basic issues involved in the matter. The Forum failed to consider the prolonged inaction and delayed response of the Distribution Licensee to the complaint dated 20.11.2025, as well as the correct date of filing of the grievance. The Respondent submitted its substantive reply only on 27.02.2026, after considerable delay, whereas the Appellant immediately submitted a rejoinder dated 27.02.2026, disputing the explanation furnished by the Respondent. The Forum further failed to properly consider the disconnection of electricity supply for approximately nine days, despite the Consumer's payment attempt through the official Mahavitaran application and submission of proof of payment. It also failed to examine whether the mandatory requirements of Section 56(1) of the Electricity Act, 2003, including service of prior statutory notice, were duly complied with. The Forum also failed to appreciate that the Consumer had received no communication regarding the alleged payment failure or refund. The grievance was not confined merely to the correctness of billing but also involved prolonged inaction, delayed grievance redressal, improper disconnection, and delayed restoration of supply, deficiency in service, harassment and inconvenience caused to the Consumer for alleged arrears of merely ₹340.22. The Forum further failed to consider the applicability of compensation under the MERC Supply Code & Standards of Performance Regulations, 2021, including suo-moto compensation where deficiency in service is established. The findings regarding meter consumption and the alleged matching readings also required proper technical verification before accepting the explanation of the Distribution Licensee. Thus, the Forum failed to properly appreciate the documentary evidence and submissions placed on record by the Consumer, resulting in findings contrary to the material available on record and the principles of natural justice.
- (ix) The Appellant, by email dated 27.07.2026, submitted a rejoinder objecting to the Respondent's belated written submission, filed beyond the prescribed date of


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15.06.2026, despite the direction dated 29.05.2026 and the Appellant's request for ex-parte proceedings dated 29.06.2026. The Respondent failed to satisfactorily address the issues of non-service of notice for Smart Meter installation, delay in grievance redressal, non-service of statutory notice under Section 56(1) of the Electricity Act, 2003, delayed restoration of supply, and non-communication regarding payment failure/refund. The cumulative procedural lapses and deficiencies establish deficiency in service, warranting appropriate relief from the Hon'ble Electricity Ombudsman.

- (x) The Appellant, therefore, prays that the Respondent be directed to:
- (a) Conduct a proper technical investigation into the abnormal billing and meter replacement and furnish the findings thereof;
 - (b) Verify, revise and rectify the disputed bills and the Consumer's account accordingly;
 - (c) Correct any erroneous debit entries in the Consumer's ledger and produce the relevant meter replacement records, MRI data, meter testing reports and complete Consumer ledger;
 - (d) Award compensation under the applicable MERC Standards of Performance Regulations for wrongful disconnection, delay in restoration of supply, delay in grievance redressal and other deficiencies in service;
 - (e) Award appropriate compensation towards harassment, mental agony, inconvenience, humiliation, wrongful disconnection and deficiency in service suffered by the Appellant;
 - (f) Award litigation, travelling, stationery and other incidental expenses incurred by the Appellant in pursuing the proceedings before the CGRF and the Electricity Ombudsman; and
 - (g) Award total compensation of ₹1,50,000/-, together with applicable interest, as may be deemed just and proper.


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3. The Respondent's submissions and arguments are stated as below:

- (i) The Respondent submitted its reply on 24.07.2026, beyond the prescribed date of 15.06.2026, as directed vide letter dated 29.05.2026. The delay was due to torrential rains and flooding in the Virar Division during the last week of June and July 2026, resulting in a large number of electricity supply interruption complaints requiring urgent attention on a war-footing basis. The circumstances causing the delay were verbally communicated to the Office of the Electricity Ombudsman. The Respondent regrets the delay and tenders its apology for the same.

Preliminary Submissions:

- (ii) The Respondent (by its corporate office policy) has relied upon the Notification dated 17.08.2021 bearing F. No. 23/35/2019-R&R issued by the Ministry of Power, Government of India, under Clause 4(1) (b) of the CEA (Installation and Operation of Meters) Amendment Regulations, 2019 read with Sections 55(1) and 177(2) (c) of the Electricity Act, 2003, prescribing timelines for **mandatory replacement of existing meters with Smart Meters** having pre-payment functionality. The relevant extract of the said notification is reproduced below:

- All consumers (other than agricultural consumers) in areas with communication network, shall be supplied electricity with Smart Meters working in prepayment mode, conforming to relevant IS, within the timelines specified below:

- (i) *All Union Territories, electrical divisions having more than 50 % consumers in urban areas with AT&C losses more than 15% in financial year 2019-20, other electrical divisions with AT&C losses more than 25% in financial year 2019-20, all Government offices at Block level and above, and all industrial and commercial consumers, shall be metered with smart meters with pre-payment mode by December 2023: Provided that the respective State Regulatory Commission may, by notification, extend the*


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said period of implementation, giving reasons for doing so, only twice but not more than six months at a time, for a class or classes of consumers or for such areas as may be specified in that notification.

- (ii) *All other areas shall be metered with smart meters with pre-payment mode by March 2025: Provided that in areas which do not have communication network, installation of pre-payment meters, conforming to relevant IS, may be allowed by the respective State Electricity Regulatory Commission. All consumer connections having current-carrying capacity beyond that specified in relevant IS, may be provided with meters with smart meters having AMR facility.*
- (iii) In accordance with the directives issued by the Government of India under the Revamped Distribution Sector Scheme (RDSS), all existing electricity meters are being upgraded to Smart TOD Meters. The meter replacement work has been entrusted to authorized AMISP (Advanced Metering Infrastructure Service Provider) agencies and is being undertaken under the supervision of Maharashtra State Electricity Distribution Company Limited (MSEDCL).
- (iv) **Key Benefits of Smart Meters:**
- **Free Installation:** Smart meters are installed free of cost to consumers.
 - **Time-of-Day (TOD) Tariff:** Consumers can avail tariff benefits during specified time slots (non-peak hours) in accordance with the applicable Tariff Order issued by the Commission.
 - **Real-time Energy Monitoring:** Consumers can monitor electricity consumption, voltage, current, and load in real time through the MAHA VIDYUT mobile application. Daily energy consumption can also be viewed for better energy management.
 - **Accurate and Automatic Billing:** Meter readings are captured automatically through cellular communication, thereby eliminating manual meter reading errors.
 - **Accuracy of Meters:** Smart meters are tested and certified in Government approved laboratories to ensure accuracy and reliability.


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- (v) The MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021 mandate the installation of smart meters.

The relevant provisions are reproduced below:

2. Definitions

2(SS) : **“Smart Meter”** shall have the same meaning as ascribed to it under Regulation 2 (1) (ta) of the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 including any amendment thereto in force from time to time;

15.1: Requirement of Meters

15.1.1. All connections shall be released with an appropriate meter. All meters shall conform to requirements as laid down by various Regulations issued by Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006 and as amended from time to time. The Distribution Licensee shall also comply with these Regulations for energizing a new connection or for replacement of meter or for other purposes such as energy audit and interface meter: Provided that all the new connections shall be released with the Smart Meter or Meter having at least the facility of remote reading: Provided further that all the existing meters whenever replaced shall be replaced only by Smart Meter or Meter having at least the facility of remote reading.

Submissions on Merit:

- (vi) The Appellant has been a Residential Consumer (No. 001526485510) since 25.11.2014. The particulars of the Consumer are provided in Table 1.
- (vii) The Appellant was billed on the basis of actual manual meter readings up to June 2025, with normal consumption ranging between 0 and 150 units per month, as acknowledged by the Respondent. In view of the government policy explained above, the Appellant's HPL make meter (No. 07640061954) was replaced on 14.07.2025 with a Genus make Smart Meter (No. M42511208376) through the authorized meter replacement agency in coordination with the


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Respondent. The meter replacement was immediately fed to the billing system in July 2025.

(viii) The Appellant was billed as per actual (automatic) reading from Aug. 2025 which are tabulated as below:

Table 2:

Month	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25
Meter Status	Normal	Normal	Normal	Normal	Normal
Date of Auto-Reading by Smart Meter	17-08-2025	17-09-2025	17-10-2025	17-11-2025	17-12-2025
Initial Reading (kWh)	0	1	324	1084	1114
Final Reading (kWh)	1	324	1084	1114	1114
Units billed	1	323	760	30	0
Note	1.The Ganapati Festival period was from 27.08.2025 to 06.09.2025, and the corresponding consumption was included in the September 2025 bill.				
	2.The Navratri Festival period was from 22.09.2025 to 02.10.2025, and the corresponding consumption was included in the October 2025 bill.				

- (ix) The Appellant informed the MSEDCL billing staff that he stayed at his Virar residence during the Ganesh and Navratri festival periods for religious observances. During this period, he used electrical appliances, including an air-conditioner (AC), resulting in increased electricity consumption.
- (x) The Appellant submitted a complaint regarding the high electricity bills for September and October 2025 to the Sub-Division Office on 20.11.2025. As per the Meter Data Management System (MDMS) report, the recorded Maximum Demand (MD) in October 2025 was 1.922 kW on 13.10.2025, indicating electricity consumption during the said period. In November 2025, the recorded MD was only 0.488 kW on 02.11.2025, which was substantially lower, consistent with reduced usage. The relevant MDMS data is placed on record.
- (xi) Further, **when MSEDCL staff initially visited the Consumer's premises to install a check meter in series for verifying any abnormality in consumption, the**


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premises was found locked, resulting in a delay in the testing process. Subsequently, when the premises was occupied, a check meter of the same accuracy class, Meter No. M12510657166, was installed in series with the existing Smart Meter No. M42511208376 on 11.02.2026. On 12.02.2026, the check and the existing meter both recorded 1 Unit, indicating identical consumption of 1 unit during the testing period of one day. As per the Section Officer's Check Reading Report, the consumption recorded by the existing meter was therefore found to be correct.

- (xii) The series check meter was installed in accordance with Regulation 15.2.5 of the MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021. The said Regulation permits the Distribution Licensee or Consumer to install a technically compliant check meter for verification purposes. The check meter readings are not to be used for billing unless the main meter is found and established to be erroneous.
- (xiii) The Appellant approached the Forum on 04.03.2026 seeking resolution of the billing dispute. The Forum, after duly considering the matter, rejected and disposed of the grievance. The Forum has rightly observed that the Appellant had consumed electricity during September and October 2025 and, therefore, is duty-bound to pay the electricity charges corresponding to the units actually consumed.
- (xiv) **Although the Appellant has submitted a screenshot showing an online payment of ₹340/- dated 16.03.2026 against the February 2026 bill, the said transaction was unsuccessful and the payment was neither received by MSEDCL nor reflected in the payment history of the Consumer.** The matter was referred to the Head Office, B&R Section, for verification, which confirmed that the payment had not been received by MSEDCL and that the amount was subsequently refunded to the Appellant in the normal course, generally within 24 hours. Despite this, the Appellant failed to make payment of the outstanding bill.
- (xv) **As confirmed by the email received from the Head Office SMS Team, disconnection notices were duly sent to the Consumer's registered mobile number. However, as the outstanding electricity bills for two consecutive months**


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remained unpaid, the Appellant's Smart Meter was auto-disconnected by the Corporate Office of the Respondent on 23.03.2026 at about 10:06:36 hrs.

- (xvi) As per the Consumer Payment Ledger (CPL), the Appellant made payments of ₹34,130/- on 15.07.2017 and ₹60/- on 07.11.2017, which were subsequently adjusted against the ensuing bills. Further, pursuant to the direction issued in Representation No. 186 of 2022, the Respondent credited ₹25,000/- to the Appellant in July 2023 towards the cost imposed by the Forum, as reproduced below:

“12. In view of the above, the instant Representation is disposed of with cost of ₹25,000/- imposed on the Respondent, considering the gravity of the case, which is to be paid to the Appellant in the ensuing bill.”

The said amount of ₹25,000/- was accordingly credited as an adjustment in July 2023 and was gradually utilized against subsequent bills, becoming fully exhausted in November 2025. Thereafter, the Appellant paid Rs. 390/- on 01.01.2026 of December 2025 bill. The bills for February and March 2026 remained unpaid leading to automatic disconnection on 23.03.2026. This amount was practically paid only on 24.04.2026 (accumulated bill Rs. 480/-) and not on 16.03.2026 as explained above. His supply was auto reconnected on 24.04.2026.

The Corporate Office monitored age wise bill not paid, and the Appellant was defaulter for two months on Feb. & March 2026. At that time, the system of smart meter was newly introduced for auto disconnection and auto reconnection directly from corporate office, & presently it has been adjusted. *[Note: This issue was discussed during the hearing. Apparently, the Head Office of MSEDCL prepared the software for auto-disconnection if the bill remained unpaid for 2 months, irrespective of the amount of the bill, even if the arrears were negligible (Rs.340/- in this case), and even if substantial security deposit was available. This policy was unfair, and has hopefully been corrected now.]*

- (xvii) In view of the foregoing, it is stated that the electricity bills were raised based on actual meter readings, and all actions taken by MSEDCL, including meter testing and disconnection of supply, were carried out in accordance with the applicable rules,


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regulations and prescribed procedures. Accordingly, there was no deficiency, irregularity or lapse on the part of MSEDCL, and the allegations raised by the Appellant are baseless and without merit.

- (xviii) MSEDCL objected to the Appellant's recording (on his mobile phone) of discussions with its line staff without their knowledge or consent and to the subsequent reliance on such recordings as evidence. Despite extending all necessary cooperation and coordination, the Appellant failed to cooperate and instead engaged in recording communications with the line staff. Such conduct indicates that the Appellant has not approached the Authority with clean hands. The Respondent, therefore, prays that no compensation ought to be granted to the Appellant in the present case.
- (xix) Virar Division is facing various operational challenges due to a substantial increase in the number of consumers within a short period. Despite the resulting workload and limited resources, MSEDCL has continued to make efforts to provide the required services to consumers.
- (xx) In view of the foregoing facts and submissions, it is prayed that the Representation filed by the Appellant be rejected.

Analysis and Ruling

4. Heard the parties and perused the documents placed on record, including the Consumer Personal Ledger (CPL), billing history, MDMS data, check-meter report and the submissions of both parties.

5. The Appellant contended that, despite historically low consumption, abnormal bills were raised after replacement of the meter on 14.07.2025. He further submitted that his electricity supply was disconnected on 23.03.2026 for alleged outstanding dues of ₹340.22, despite his attempt to make the payment online on 16.03.2026. According to the Appellant, the payment issue was not properly communicated, no adequate notice was served, and the supply remained disconnected for about nine days. He alleged deficiency in service on account of abnormal billing, the payment issue, disconnection and delayed restoration and sought revision of the bills and compensation of ₹1,50,000/- with applicable interest.


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6. The Respondent stated that the Appellant's complaint regarding abnormal consumption was duly verified through MDMS data and a series check meter installed on 11.02.2026, which confirmed that the Smart Meter was recording consumption correctly. The check meter was installed in accordance with Regulation 15.2.5 of the MERC Supply Code Regulations, 2021, and no defect was found in the Smart Meter. The Respondent further submitted that the Appellant had actually consumed electricity during September and October 2025 and was, therefore, liable to pay the corresponding bills.

7. As regards the alleged payment of ₹340/- on 16.03.2026, the Respondent stated that the amount paid through online transaction was not received by them, the online transaction was unsuccessful and the amount ought to have been refunded to the Appellant within 24 hours by the bank. Consequently, the dues remained outstanding and the supply was auto-disconnected on 23.03.2026 after due notice directly from the Corporate Office. Further on, the Appellant subsequently cleared the outstanding dues and the supply was restored through the Corporate Office.

8. The Respondent also stated that the earlier credit of ₹25,000/- which has been repeatedly relied upon by the Appellant, was actually paid as a cost by the Respondent on the directions of the Forum in July 2023 in an earlier case. This advance was not a voluntary action taken by the Appellant. This amount was exhausted over a period of about 2 years, from July 2023 up to November 2025. Accordingly, the Respondent submitted that the bills were based on actual consumption and that there was no deficiency in service.

9. The abstract of the Consumer Personal Ledger (CPL), showing the month-wise consumption and meter status for ready reference, is reproduced below:

Table 3: Month-wise Consumption and Meter Status


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Year	2024-25		2025-26		2026-27	
Month	Meter Status	Cons. (Units)	Meter Status	Cons. (Units)	Meter Status	Cons. (Units)
Apr	Normal	21	Normal	0	Normal	0
May	Normal	56	Normal	1	Normal	1
Jun	Normal	0	Normal	0	Normal	0
Jul	Normal	1	Normal	0	Normal	6
Aug	Normal	2	Normal	1		
Sep	Normal	37	Normal	323		
Oct	Normal	1	Normal	760		
Nov	Normal	28	Normal	30		
Dec	Normal	1	Normal	0		
Jan	Normal	4	Normal	1		
Feb	Normal	4	Normal	1		
Mar	Normal	1	Normal	0		

10. The record shows that the Appellant raised the grievance regarding high bills for September and October 2025 on 20.11.2025. The MDMS data indicates that the Maximum Demand recorded in October 2025 was 1.922 kW on 13.10.2025, evidencing actual electricity usage during the period. The Appellant himself stated that he stayed at the premises during the festivals and used electrical appliances, including AC, which could have resulted in higher consumption. In November 2025, the Maximum Demand reduced substantially to 0.488 kW on 02.11.2025, which is consistent with reduced usage. The billing record further indicates that the Appellant was billed on the basis of actual meter readings. The Smart Meter was verified through the check-meter arrangement and was found to be recording correctly. Therefore, the allegation of abnormal billing is not substantiated. However, if the Appellant still desires to have the meter tested at an NABL-accredited laboratory, the Respondent shall, upon payment of the applicable statutory testing charges by the Appellant, arrange for such testing in the presence of the Appellant and take further action in accordance with the applicable Regulations in force.

11. Further, there are no government guidelines or directions that notices should be issued to consumers, or that their consents should be taken, for installation of smart meters. The procedure in this regard is to be determined by MSEDCL.


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12. Since the outstanding dues remained unpaid, the supply was auto-disconnected. From the record it is clear that the Appellant's attempt at making the payment on 16.03.2026 was unsuccessful. It would be the bank's responsibility to inform the Appellant about the unsuccessful payment. The Appellant thereafter cleared the outstanding dues of Rs. 480 /- on 24.04.2026 and the supply was restored on the same day. In the circumstances, no deficiency in service on this count is established principally.

13. The Appellant has a security deposit of Rs. 1,095/-. As per the Consumer Personal Ledger (CPL) and the consumption/billing details for the year 2025-26, the Respondent issued an additional Security Deposit (SD) notice of Rs. 2,200/- in April 2026, equivalent to approximately two months' average billing amount for the said period. However, the Appellant failed to pay the additional Security Deposit of Rs. 2,200/- despite the said notice.

14. It is observed that before the Forum, the Appellant had sought compensation of ₹10,000/-. However, in the present Appeal, the compensation claimed has been enhanced to ₹1,50,000/-. In the circumstances discussed above, such enhancement is not found to be justified.

15. The Representation is rejected and stands disposed of accordingly.

16. However, MSEDCL is advised to re-examine its policy and procedure for auto-disconnection, particularly in cases involving small outstanding amounts and where sufficient security deposit is available, and consider suitable safeguards at the Corporate Office level to avoid hardship to consumers in similar cases in future.

Sd/
(Vandana Krishna)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

