

# BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

## REPRESENTATION NO. 69 OF 2025

In the matter of excess billing

Jadhav Kavita Sahebrao.....Appellant  
(C. No. 065514303538)

V/s.

Maharashtra State Electricity Distribution Co. Ltd., Malegaon (MSEDCL)..... Respondents

Malegaon Power Supply Ltd. (MPSL), Distribution Franchisee Malegaon

### Appearances:

Appellant : Mahmoodal Hasan Shabir Ahmad, Representative

MSEDCL : 1) Pradip Borkar, Ex. Engineer, UCR Dn. Malegaon  
2) Rajesh Khirwadkar, Addl. Ex. Engineer, Nodal Office Malegaon  
3) Yogesh Hire, UDC, Nodal Office Malegaon

MPSL : 1) Mahendra Reddy, Head Commercial, MPSL  
2) Mitranu Nayak, Head MRBD, MPSL  
3) Pavan Disawal, Sr. Executive, MPSL


**Coram: Vandana Krishna [IAS (Retd.)]**

Date of hearing: 29<sup>th</sup> August 2025

Date of Order : 4<sup>th</sup> September 2025

## ORDER

This Representation was filed on 25<sup>th</sup> July 2025 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity

  
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Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the Order dated 19<sup>th</sup> June 2025 passed by the Consumer Grievance Redressal Forum, MSEDCL, Nashik Zone (the Forum) in Case No. 242/2024. The Forum by its order disallowed the grievance application of the Appellant; it observed that the meter was functioning with a recorded reading of **16,581 kWh**, but was replaced under the **Mass Meter Replacement Programme**. The billing has been revised based on the actual recorded consumption for the period from **March 2020 to January 2024**. The grievance raised for the earlier period from July 2018 to February 2020 is held to be barred by limitation under Regulation 7.9 of the CGRF & EO Regulations, 2020.

2. The Appellant has filed this representation against the order of the Forum. An online hearing through video conference was held on 29<sup>th</sup> August 2025. The Appellant and the Respondent were heard at length. *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' where needed.]*

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

- (i) The Appellant is a registered residential electricity consumer (details in Table-1). The Appellant had been making timely payments of electricity bills until the stage when monthly bills were issued based on actual meter readings.
- (ii) In January 2019, the meter became defective ("jumped"). *[Note: On examining the actual meter readings (Table 2), it is seen that the reading remained the same, i.e. 7166, and there was no jumping.]* Thereafter, the Respondent billed the Appellant under the category of "Faulty" status (*mostly RNT and faulty*) for the period March 2020 to January 2024. An electricity bill of Rs.2,36,650/- was raised, which was highly disproportionate to the earlier consumption pattern.
- (iii) The imposition of such an exorbitant bill is unjustified. The liability has arisen solely due to lapses on the part of the Respondent (not billing based on actual readings) and not due to any default of the Appellant.
- (iv) The Appellant approached the Forum seeking revision of faulty/average bills from 2018 till February 2024. However, the Forum, by its order, rejected the grievance.

  
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- (v) In view of above, the Appellant prays that the Respondent be directed to revise the impugned bills for the period 2018 to February 2024.
- (i) The Respondent's submissions and arguments are stated as below. MSEDCL, the Distribution Licensee has appointed Malegaon Power Supply Ltd. (MPSL) as its Distribution Franchisee for the Malegaon Municipal Area with effect from March 2020. Since then, all functions like managing electricity supply, maintaining infrastructure, handling customer service inquiries, and processing monthly billing for the electricity consumers in the area are being carried out by MPSL.
- (ii) The Appellant is a residential consumer (Consumer No.065514303538) since 23.12.2007. The relevant details such as address, sanctioned load, and date of meter replacement are tabulated below:

Table 1.

Name of New Consumer	Consumer No.	Address on Bill	Sanctioned load	Date of Supply	Last Bill Paid	Meter Replaced on 17.01.2024 & final Reading on Meter
Smt Jadhav Kavita Sahebrao	065514303538	H. NO. 220, G. NO.1, Dyane, Tal : Malegaon, Dist Nasik Pin-423203	0.3 KW	23.12.2007	Rs. 2000/- on 27.03.2019	Reading 16851 KWH on 17.01.2024 in old meter

- (iii) The Appellant has been irregular in the payment of energy bills resulting into accumulated arrears of Rs.1,67,570/- up to July 2025.
- (iv) During the MSEDCL period, the actual meter readings were taken most of the time. The Appellant was billed for 409 units in November 2019 with the final reading of 7575 kWh under "Normal" status. Thereafter, from December 2019 till February 2024, bills were issued on minimum charges with zero consumption recorded. *[Note: The Respondent has not explained why regular meter readings were not taken for more than 4 years.]*
- (v) On 17.01.2024, the meter of the Appellant was replaced under the Mass Meter Replacement Programme (and *not* because the meter was faulty). The final reading of

  
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the replaced old meter was 16,851 kWh. Accordingly, the Appellant was billed for a differential consumption of 9276 units.

- (vi) In February 2024, the Appellant was billed Rs. 2,36,650/- with 9320 units by considering the new meter's recorded reading of 44 kWh along with the accumulated 9276 units recorded on the old meter. The corresponding meter replacement report has been duly placed on record.
- (vii) Subsequently, in November 2024, the bills were revised for the period from March 2020 to February 2024, resulting in a credit of Rs.1,05,860/-. However, the Appellant has not paid the dues either for the MSIEDCL period or for the MPSL period.
- (viii) All necessary corrections have already been effected in billing and the revised bills duly credited to the Appellant's account. The Consumer Personal Ledger (CPL) and the bill revision documents were provided to the Appellant, and the details of the bill revision were duly explained.
- (ix) The Appellant filed a grievance application before the Forum on 01.10.2024 for bill revision. The Forum, by its order dated 19.06.2025, dismissed the grievance. The Forum observed that the meter was functioning with a recorded reading of 16,581 kWh, and the grievance pertaining to July 2018 to February 2020 was barred by limitation under Regulation 7.9 of the CGRF & EO Regulations, 2020.
- (x) The Appellant's complaint of "disputed billing" specifically relates to the period July 2018 to February 2020. The grievance application was filed on 01.10.2024, i.e., after a lapse of more than 4¼ years, and is therefore clearly time-barred under Regulation 7.9 of the CGRF & EO Regulations, 2020.
- (xi) In view of the above facts and findings, the Respondent prays that the representation filed by the Appellant be dismissed.

### **Analysis and Ruling**

4. The parties were duly heard, and all documents on record were carefully examined. The Appellant is a residential consumer (No. 065514303538) since 23.12.2007. The relevant details of the Appellant are given in Table-1.


  
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5. The Respondent contended that till Nov. 2019, meter readings were on actual basis (final reading 7575 kWh, 409 units billed). [Note: We have examined the long-term CPL, and we find that actually meter readings were not taken even prior to Nov. 2019, right from July 2018.] From Dec. 2019 to Feb. 2024, bills were on minimum charges with “zero” recorded consumption. The old meter was replaced on 17.01.2024 under a Mass Meter Replacement Programme with final reading of 16,851 kWh. Accordingly, the Appellant was billed for a differential consumption of 9276 units (from Dec.2019 to Feb.2024). This comes to an average of about 186 units per month, which was deemed excessive by the Appellant. In February 2024, the Appellant was billed for Rs.2,36,650/- with 9320 units by considering the new meter’s recorded reading of 44 kWh along with the accumulated 9276 units recorded on the old meter. The bills were revised in Nov. 2024 for Mar. 2020 to Feb. 2024, and a credit of Rs.1,05,860/- given. Despite this, Appellant has not cleared dues of both MSEDCL and MPSL period. Now the accumulated arrears are Rs.1,67,570/- up to July 2025.

6. The Appellant contended that she paid bills regularly till actual readings were issued. The meter became defective in Jan. 2019; the Respondent billed her under “Faulty” status from Mar. 2020 to Jan. 2024, and suddenly raised an exorbitant bill of Rs.2,36,650/- in Feb. 2024. Such billing is unjustified as the error was solely due to Respondent’s lapse, not the Appellant’s fault. The Appellant prays for revision of impugned bills for 2018 to Feb. 2024.

7. Many such cases come up before the Electricity Ombudsman, where the consumer is suddenly billed with large accumulated arrears because regular readings were not taken. In such cases, even if the calculation of “average” consumption in units is reasonable and logical, the calculation of arrears in Rupees turns out to be very high, mostly on account of interest and DPC levied for months or years altogether. In such cases where the readings were not taken by the licensee, it is not fair to levy interest and DPC, and henceforth the licensee should take care to bill the consumer with only the principal amount of the accumulated arrears, and that too not for an unlimited period but for a maximum of 3 years.

  
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8. The billing and consumption pattern of the Appellant has been studied. The consumption for the year 2017 -18 was found in the range of 40 to 115 units per month. The consumption in April, May and June 2018 was 169, 136 and 158 units. The integrated abstract of the billing is tabulated as below:


Table 2:

Month	2018-19					2019-20					2020-21 & 2022-23			2023-24			2024-25
	Meter Status	Status	Current Reading	Previous Reading	Cons. (Units)	Meter Status	Status	Current Reading	Previous Reading	Cons. (Units)	Meter Status	Status	Cons. (Units)	Meter Status	Status	Cons. (Units)	Cons. (Units)
Apr	Normal	Live	6872	6703	169	Locked	Live	7166	7166	154	R.N.T.	TD	0	Faulty	TD	0	39
May	Normal	Live	7008	6872	136	Inacc.	Live	7166	7166	154	R.N.T.	TD	0	Faulty	TD	0	38
Jun	Normal	Live	7166	7008	158	Inacc.	Live	7166	7166	154	R.N.T.	TD	0	Faulty	TD	0	38
Jul	Inacc.*	Live	7166	7166	154	Faulty	Live	7166	7166	154	Normal	TD	0	Faulty	TD	0	33
Aug	Inacc.	Live	7166	7166	154	Faulty	Live	7166	7166	154	Normal	TD	0	Faulty	TD	0	0
Sep	Inacc.	Live	7166	7166	154	Faulty	Live	7166	7166	154	R.N.T.	TD	0	Faulty	TD	0	66
Oct	Inacc.	Live	7166	7166	154	Faulty	Live	7166	7166	154	R.N.T.	TD	0	Faulty	TD	0	33
Nov	Inacc.	Live	7166	7166	154	Normal	TD	7575	7166	409	R.N.T.	TD	0	Faulty	TD	0	85
Dec	Inacc.	Live	7166	7166	154	R.N.T.	TD	7575	7575	0	R.N.T.	TD	0	Faulty	TD	0	25
Jan	Inacc.	Live	7166	7166	154	R.N.T.	TD	7575	7575	0	R.N.T.	TD	0	Faulty	TD	0	31
Feb	Inacc.	Live	7166	7166	154	Normal	TD	7575	7575	0	Normal	TD	0	Normal		9320	31
Mar	Inacc.	Live	7166	7166	154	Normal	TD	7575	7575	0	Normal	TD	0	Normal		35	29

*\*Inaccessible*

The Appellant was billed on the basis of actual meter readings up to June 2018, when the final recorded reading was **7166 kWh** and the average monthly consumption was **158 units**. Thereafter:

- From **July 2018 to June 2019**, the billing was done under “Inaccessible/Locked” status with an average of **154 units per month**, and readings were not taken.
- From **July 2019 to October 2019**, the billing category was changed to “Faulty” Status. (Though the Respondent denies that the meter was faulty.)
- For one month in **November 2019**, the billing was done with “Normal” Status. But again from the next month onwards, readings were not taken, and billing was done with recorded status as RNT / faulty for most of the months. In view of this complicated status, for the purpose of revision of bill, it is fairer to consider the long-term average consumption from **July 2018 to January 2024**, during which the reading increased from **7166 kWh to 16851 kWh**. The total consumption for this period was **9685 units** (=16851-7166), which spread over **67 months**, gives a monthly average of **145 units**.

  
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9. The total and average units consumed by the Appellant from July 2018 to January 2024 have been fairly computed as above. However, in view of the Judgment of the Hon'ble Supreme Court dated 05.10.2021 in Civil Appeal No. 7235 of 2009, M/s. Prem Cottex v. Uttar Haryana Bijli Vitran Nigam Ltd., this Authority has consistently restricted recovery to a period of **three years**. Accordingly, **in the present case, recovery is permissible only for the period from March 2021 to February 2024 (36 months), calculated at an average consumption of 145 units per month.**

10. On review of payment records, it is observed that the Appellant was already a defaulter as of **July 2018**, with outstanding dues of **Rs.5110.55**, despite billing being on actual meter readings up to June 2018. Thereafter, the Appellant made only a single part payment of **Rs.2000/- on 27.03.2019**, which was merely "on account." (i.e. part payment for current bills). For almost **six years**, no further payments were made towards the energy consumed. These facts establish that the Appellant has been a **continuous defaulter**, having failed to discharge legitimate dues. Accordingly, the Appellant cannot be said to have approached this Authority with **clean hands**. He does not deserve cancellation of the entire bill, and must pay a fair bill for 3 years.

11. The Forum's order is set aside. The Respondent is directed to

- (a) Revise the bill of the Appellant considering period from March 2021 to February 2024 (36 months) with calculated average consumption of 145 units per month, by withdrawing the entire interest and delayed payment charges till the date of order.
- (b) Allow the Appellant to pay the revised bill in 20 equal monthly instalments without any interest and DPC. If the Appellant fails to pay any instalment, proportionate interest will accrue on defaulter portion, and the Respondent has the liberty to take action as per law.
- (c) Compliance to be submitted within two months from the date of issue of this order.
- (d) The other prayers of the Appellant are rejected.

12. While parting with this order, it is observed that the Franchisee, Malegaon Power Supply Ltd., has failed to adhere to the provisions of the Supply Code and Standard of Performance


  
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Regulations, 2021. The Respondent did not take proper meter readings of the consumer from March 2020 to January 2024. Further, the Respondent failed to take timely action under the recovery mechanism, including disconnection of supply for non-payment of dues. Both these acts led to accumulation of large arrears, and hence the dispute. The Respondent/Franchisee is therefore **advised to strengthen and improve its operational performance in future** in strict compliance with the applicable Regulations.

11. The representation of the Appellant is accordingly disposed of.

Sd/  
(Vandana Krishna)  
Electricity Ombudsman (Mumbai)

  
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