BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 82 OF 2026

In the Matter of Accumulated Consumption and Under-billing
due to the Missing Y-Phase Voltage in the Meter

Mohd. Islam Hafijullah Chaudhary……. ……. Appellant
(Con. No. 001843936993)

V/s.

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

Appearances

Appellant : Islam Chand Khan, Representative

Respondent: 1. Pravin Sute, Executive Engineer, Vasai Dn.
2. Mahesh Madhavi, Addl. Executive Engineer, Vasai Rd. Sub Dn.

Coram: Vandana Krishna [IAS (Retd.)]

Date of hearing: 5th October 2026

Date of Order: 3rd November 2026

ORDER

This Representation was filed on 30th July 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 in Case No. 011 of 2026 passed by the Consumer Grievance Redressal Forum, Vasai Circle (the Forum). The Appellant paid the requisite statutory deposit of ₹25,000/- on 8

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August 2026 as per Regulation 19.22 (h) of CGRF & EO Regulations 2020. Accordingly, the Representation was registered on the same date i.e. 8th August 2026.

2. The Forum disposed of the Appellant's grievance, observing that the meter was treated as faulty and billing was carried out on an average basis for the period from August 2024 to June 2025. However, in July 2025, the meter was found to be working, and the bill was raised based on the actual accumulated consumption of 11,312 units with bill of Rs. 1,17,570.92. Subsequently, based on the Head Office report, a recovery of 6,251 units, representing 33% unrecorded consumption due to the missing Y-phase from 26.05.2025 to 01.09.2025, was assessed. Accordingly, a supplementary recovery bill of ₹83,442/- was issued in November 2025. The consumer's meter was subsequently replaced on 7th April 2026.

3. The Appellant filed this Representation against the order of the Forum. An e-hearing was held on 5th October 2026 through video conference where the parties were heard at length. The Respondent's submissions and arguments are as below. *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' where needed.]*

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

(i) The Appellant is an industrial consumer (No.001843936993). The particulars of the electricity connection are set out as below.

Table 1

Name of Consumer	Consumer No.	Address on Bill	San. Load / Contract Demand	Date of Supply	Purpose	Y phase voltage missing to meter	Y phase Mssing till Meter replacement
Mohd. Islam Hafijullah Chaudhary	001843936993	Gala No.29, Navjeevan Ind. Estate, S. No.32, H. No.2, Vasai (East)	40 HP/ 37 kVA	02.09.2021	Industrial (Plastic Industry)	For the period from 26.05.2025 to 01.09.2025, as per HO directions, covering 6,251 units amounting to ₹83,442/-.	The said meter was repalced by new meter (No.M12540029259) on 07.04.2026

The Appellant is engaged in the manufacture of plastic sole components used in footwear.

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Accumulated Bill Issue:

(ii) The Appellant was billed on an average basis for the period from August 2024 to June 2025, with a recorded consumption of 21,606 units, while the meter reading remained unchanged at 6,57,828.53 kWh throughout the said period. However, the meter was functional, and the average billing arose because the Meter Reading Agency failed to record the actual meter reading properly. Subsequently, the Meter Reading Agency recorded the actual meter reading as 6,69,140.65 kWh, as against the earlier reading of 6,57,828.53 kWh, thereby reflecting an actual consumption of 11,312 units resulting in an accumulated consumption bill of ₹1,17,570/- issued in July 2025. The abstract of CPL prepared by Electricity Ombudsman Office) is as below in Table 2:

Table 2:

Year	2024-25		2025-26		2026-27		Avg. Bill Total	
Mth	kWh-Cons.	Status	kWh-Cons.	Status	kWh-Cons.	Status	Aug	1866
Apr	5535	Normal	**2001**	**Avg.**	2430	Normal	Sep	1866
May	4844	Normal	**2001**	**Avg.**	4641	Normal	Oct	1866
Jun	3561	Normal	**2001**	**Avg.**	2882	Normal	Nov	2001
Jul	1866	Normal	11312	**Accum. Cons.**	2897	Normal	Dec	2001
Aug	**1866**	**Avg.**	2996	Normal	2225	Normal	Jan	2001
Sep	**1866**	**Avg.**	5865	Normal	3064	Normal	Feb	2001
Oct	**1866**	**Avg.**	7038	Normal			Mar	2001
Nov	**2001**	**Avg.**	6211	Normal			Apr	2001
Dec	**2001**	**Avg.**	5887	Normal			May	2001
Jan	**2001**	**Avg.**	3813	Normal			Jun	2001
Feb	**2001**	**Avg.**	4672	Normal			Total Units	**21606**
Mar	**2001**	**Avg.**	2855	Normal				
Total	**31409**		**56652**		**18139**			
Avg / Mth	2617		4721		2591			

Note	
	1.Consumer was billed with average consumption from Aug. 2024 to July 2025 which was revised subsequently.
	2.The consumer's meter was subsequently replaced on 07.04.26 by smart meter.
	3.Excess units charged of 10294(21606-11312)units were refunded by bill adjustments.

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(iii) The Appellant's bill for the period from August 2024 to July 2025 was revised in Sep. ending 2025 based on actual consumption, after withdrawing the excess 10,294 units (21,606 − 11,312 units) previously charged, along with the corresponding interest and delayed payment charges, amounting to ₹2,22,030/-

(iv) The month wise billing from July 2025 to Sep. 2025 showing details of bill issued, bill amount, bill paid is as below:

Table 3

Month	Units Billed	Bill amount (Rs.)	DPC (Rs.)	Total bill amount (Rs.)	Amount Paid ((Rs.)	Receipt Date
Jul-25	11312	117570.92	1469.64	119040.56	Nil	
Aug-25	2996	39910.44	498.88	40409.32	Nil	
Sep-25	5865	86193.15	1077.41	87270.56	Nil	
Oct-25	7038	100687.19	1258.59	101945.78	Nil	
Nov-25	6211	171798.9	2147.49	173946.39	110370	27-11-2025
Dec-25	5887	84895.22	1061.19	85956.41	133000	26-12-2025
Jan-26	3813	55393.95	692.42	56086.37	56000	21-01-2026
Feb-26	4672	63257.13	792.21	64049.34	63260	24-02-2026
Mar-26	2855	42622.15	532.78	43154.93	40000	19-03-2026
Apr-26	2430	38266.06	478.33	38744.39	38000	24-04-2026
May-26	4641	61703.34	771.29	62474.63	Nil	
Jun-26	2882	39675.54	495.94	40171.48	30000	03-06-2026
Jul-26	2897	42653.92	533.17	43187.09	30000	30-06-2026
Aug-26	2225	45062.65	563.28	45625.93	30000	03-08-2026
Sep-26	3064	54327.08	679.09	55006.17		
Total	**68,788**	**10,44,017.64**	**13,051.71**	**10,57,069.35**	**5,30,630**	
Gross Payble…1					10,57,069.35	
Bill Revision ..2					(-)2,22,030	
Net Bill (1-2)					8,35,039.35	
Less payment made by the Consumer					5,30,630.00	
Outstanding Dues (Rs.)					3,04,409.35	

(v) As per the above Table 3, the gross payable amount stands at ₹10,57,069.35. After deducting ₹2,22,030 /-towards withdrawal of the average billing for the period from August 2024 to July 2025 (B-80), the net payable amount works out to

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₹8,35,039.35. After further deducting the payment of ₹5,30,630 made by the consumer, the outstanding arrears payable by the consumer amount to ₹3,04,409.35.

Under Billing Issue:

(vi) The Chief Engineer (Billing & Revenue), Corporate Office of the Respondent, vide letter dated 20.08.2025 informed that,

During verification of MDAS billing data for LT consumers, it was observed that voltage readings for one or two phases have remained consistently missing over an extended period. This technical anomaly has led to chronic under-billing, resulting in significant revenue loss to MSEDCL. Alarmingly, the MR9 reading sheets containing these discrepancies were approved by the concerned SDO in-charge without verifying voltage data. Despite clear evidence of missing voltages, approvals were granted without proper assessment or corrective action—indicating a serious oversight in operational diligence. The issue has surfaced with 71 cases identified, amounting to an estimated loss of Rs. 1.01 Cr. The most of the cases observed from Vasai Circle, Vasai Division from Vasai Road East Subdivision. .....

……..

Case-XXII: Consumer Name: MOHD. ISLAM HAFIJULLAH CHAUDHARY Consumer No.: 001843936993 (Industrial Consumer) Meter No.: 065-05793109 (40-200 Embedded Meter without Smart PT function) Location: Kalyan Zone, Vasai Circle, Vasai Division, Vasai Rd E Sub Division As per MDAS Data analysis:

1) *The R phase voltage found low from Feb 2020 and Y phase voltage found low from Jan 2024 and missing from* ***June 2025 to Aug. 2025.***

……

(vii) On 11.09.2025, pursuant to the Head Office instructions, the Assistant Engineer (QC), Vasai Road East, assessed the unrecorded consumption attributable to the missing Y-phase voltage during the period from 26.05.2025 to 01.09.2025 as per Head Office direction. The difference between the meter readings of 6,65,498.06

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kWh and 6,78,001.24 kWh was 12,503.18 units, representing two-thirds of the actual consumption recorded through the functioning phases. Accordingly, the total actual consumption was assessed at 18,753.8 units, and the unrecorded one-third consumption was calculated at 6,251 units. The MRI Data is kept on record.

(viii) Based on the above assessment, the Respondent revised the bill for 6,251 units, amounting to ₹83,442/-, vide B-80 ID No. 18620863, and debited the amount to the Appellant's bill for November 2025. The Respondent relied upon Regulation 4.4.1 of the MERC Supply Code Regulations, 2021, which authorises the Distribution Licensee to recover charges for electricity supplied in accordance with the tariffs determined by the Commission. A copy of the assessment sheet has been placed on record.

(ix) The Appellant filed a grievance application before the Forum on 11.03.2026. The Forum subsequently disposed of the grievance, and its observations are reproduced in Para 2 above.

(x) The Forum observed that the bills raised by the Respondent were based on the consumer's actual consumption that remained unrecorded due to the missing phase voltage. It further held that, in view of Section 56(2) of the Electricity Act, 2003, the recovery proposed by MSEDCL was within the prescribed period of two years.

(xi) The consumer's meter was replaced on 07.04.2026 with a new meter bearing No. 100-M12540029259. The consumption recorded by the new meter was reflected in the bill issued for May 2026.

(xii) In Schedule B, the Appellant has disputed only the recovery of ₹83,442/- towards underbilling and has sought cancellation of the said recovery, without disputing the bill raised for the accumulated consumption.

(xiii) The Security Deposit (SD) held by the Respondent in respect of the Appellant's electricity connection was ₹64,268.70. As the Appellant was irregular in making payments towards electricity bills, the Security Deposit was adjusted against the outstanding bills for September and October 2025. Subsequently, the payments

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received were appropriated towards replenishment of the Security Deposit, as reflected in the Table above.

Table 4

Month	Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Apr-26	May-26	Jun-26
Security Deposit Held (Rs.)	64,268.70	64,268.70	0	0	50,000	89,630	89,630	89,630	89,630	89,630	89,630	89,630

(xiv) At present, the Security Deposit maintained by the Respondent in respect of the Appellant's connection stands at ₹89,630/-. Further, in April 2026, the Respondent raised an additional Security Deposit demand of ₹38,780/- in accordance with the applicable MERC Regulations. However, the Appellant has not paid the said additional Security Deposit demand to date.

(xv) The Respondent accordingly prays that, in view of the aforesaid billing adjustments and credits already extended to the Appellant, the grievance stands duly redressed and does not survive for further consideration and, therefore, be rejected.

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

(i) The particulars of the electricity connection are set out in Table 1. The Appellant is engaged in the manufacture of plastic sole components used in the footwear industry, which involves the operation of electrical machinery and equipment for processing and moulding plastic materials.

(ii) The Appellant stated that, from August 2024 to June 2025, the Respondent billed the electricity consumption on an average basis for 21,606 units, while the meter reading remained unchanged at 6,57,828.53 kWh throughout the said period. According to the Appellant, this indicated that the meter was not recording consumption properly. Although the Respondent subsequently revised the bills, the Appellant was not satisfied with the billing adjustments. In July 2025, the Respondent raised a bill for the accumulated consumption of 11,312 units

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amounting to ₹1,17,570/- and subsequently granted a credit of ₹2,22,030/- towards withdrawal of the average billing through a B-80 adjustment.

(iii) The Respondent subsequently raised a supplementary demand of ₹83,442/- towards alleged underbilling of 6,251 units for the period from 26.05.2025 to 01.09.2025, attributing the same to missing Y-phase voltage in the meter. The Appellant disputed the said recovery and sought its cancellation.

(iv) The Appellant contended that the Respondent had relied upon the assessment prepared by the Assistant Engineer (QC), Vasai Road East, on 11.09.2025, pursuant to the Head Office instructions, for determining the unrecorded consumption attributable to the missing Y-phase voltage. However, the Respondent had not furnished adequate technical records establishing the actual period of phase failure or substantiating the correctness of the assessment and the consequential recovery of ₹83,442/- for 6,251 units.

(v) The Appellant also requested that the consumption pattern recorded by the new meter installed on 07.04.2026 be taken into consideration while examining the disputed recovery and the correctness of the revised bills. According to the Appellant, there had been no corresponding increase in consumption after the installation of the new meter, and this aspect warranted consideration while determining the validity of the supplementary demand.

(vi) The Appellant contended that the Respondent's Security Deposit policy lacks transparency and, therefore, requires reconsideration and review to ensure clarity in its determination, adjustment, and recovery.

(vii) In view of the above, the Appellant prayed that the supplementary recovery of ₹83,442/- be set aside, the interest and delayed payment charges levied thereon be waived, and, in the alternative, if any amount is found payable, the facility of payment in instalments be granted, along with appropriate consequential relief.

6. Post-hearing, the Respondent, vide rejoinder letter dated 30.10.2026, submitted the following additional explanation regarding recovery of unrecorded consumption due to missing

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Y-Phase voltage in respect of Mohammed Islam H. Choudhary, (Consumer No. 001843936993).

a) The Respondent stated that, upon analysis of MDAS data by the Head Office, R-Phase voltage of Meter No. 065-05793109 was found to be low since February 2020, whereas Y-Phase voltage was low since January 2024 and completely missing from June 2025 to August 2025. Accordingly, the Chief Engineer, Billing & Revenue, vide letter dated 20.08.2025, directed to inspect the premises and initiate recovery towards the missing phase.

b) Recovery Already Assessed and Billed (Assessment dated 11.09.2025 for the period 26.05.2025 to 01.09.2025): Pursuant to the Head Office directions, the AE (QC), Vasai Road East, assessed 6,251 units towards missing Y-Phase consumption for the period from 26.05.2025 to 01.09.2025. Accordingly, the Respondent issued an additional supplementary bill of ₹83,442/- vide B80 ID 18620863. Thus, the recovery for the said period was duly assessed and billed.

c) Additional Recovery Assessed Subsequently but kept Pending for Billing: The Respondent further stated that, as the Y-Phase missing event could not be restored, replacement of the existing meter became necessary. However, due to the non-availability of 40–200 Amp CT-embedded energy meter, the replacement was delayed, and the existing meter was finally replaced on 07.04.2026 with a new meter bearing No. 100-M12540029259.

d) During the hearing before the Electricity Ombudsman and post hearing a query was raised regarding recovery for the period from 01.09.2025 up to the date of meter replacement. In this regard, the Respondent obtained the required MRI data from the reading agency on 23.10.2026. Based on the assessment carried out by AE (QC), Vasai East, an additional 16,562 units were assessed for the period from 01.09.2025 to 03.04.2026, amounting to approximately ₹1.86 lakh. However, this amount has not yet been billed or recovered and is proposed to be included in the subsequent bill.

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e) The Respondent clarified that the initial recovery up to 01.09.2025 was undertaken to comply with the Head Office instructions, while it had informed the Forum that recovery would be proposed up to the date of meter replacement. It further attributed the delay in submitting its additional reply to the queries raised during the hearing to the temporary non-availability of the required MRI data due to technical issues.

f) In view of the above, the Respondent requested the Electricity Ombudsman to consider the aforesaid submissions while passing the final order.

Analysis and Ruling

7. Heard the parties and perused the documents on record. The Appellant is an industrial consumer bearing Consumer No. 001843936993, engaged in the manufacture of plastic sole components used in footwear, with a sanctioned load of 40 HP/37 kVA.

8. The Respondent contended that the Appellant was billed on an average basis from August 2024 to June 2025 due to the Meter Reading Agency's failure to record actual readings, though the meter was functional. On recording the actual reading in July 2025, accumulated consumption of 11,312 units amounting to ₹1,17,570.92 was billed. Subsequently, excess billing of 10,294 units was withdrawn and a credit of ₹2,22,030/-, including applicable interest and delayed payment charges, was granted. After adjustment of the credit and payments made, outstanding dues stood at ₹3,04,409.35. The Appellant has not disputed the accumulated consumption billing in the present Representation.

9. The Respondent further contended that missing Y-Phase voltage resulted in under-recording of consumption. Accordingly, 6,251 units for the period 26.05.2025 to 01.09.2025 were assessed and supplementary billed for ₹83,442/- under Regulation 4.4.1 of the MERC Supply Code, 2021. The Forum upheld the recovery as actual unrecorded consumption within the limitation prescribed under Section 56(2) of the Electricity Act, 2003. Post-hearing, it submitted that an additional 16,562 units for the period 01.09.2025 to 03.04.2026, amounting

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to approximately ₹1.86 lakh, had subsequently been assessed based on MRI data but remained unbilled and unrecovered. It attributed the delay to technical issues affecting data availability and sought rejection of the Representation.

10. The Appellant contended that the Respondent had raised average bills for 21,606 units from August 2024 to June 2025 despite the meter reading remaining unchanged at 6,57,828.53 kWh. Subsequently, accumulated consumption of 11,312 units was billed for ₹1,17,570, and a credit of ₹2,22,030 was granted towards withdrawal of excess average billing. However, the Respondent raised a supplementary demand of ₹83,442 for 6,251 units, alleging underbilling due to missing Y-phase voltage during the period from 26.05.2025 to 01.09.2025. The Appellant also requested consideration of the consumption pattern recorded by the new meter installed on 07.04.2026 and questioned the transparency of the Respondent's Security Deposit policy. Accordingly, the Appellant prayed for cancellation of the supplementary demand, waiver of the interest and delayed payment charges and, alternatively, permission to pay any amount found payable in instalments, along with appropriate consequential relief.

Issues for Determination:

11. The following issue 1 arises for consideration in the present Representation:

Issue	Particulars	Finding
Issue No. 1	Whether the supplementary demand of ₹83,442/- towards alleged under-recording of 6,251 units due to missing Y-Phase voltage for the period from 26.05.2025 to 01.09.2025 is justified?	Partially Affirmative, as charted in Table 5.

The existing meter is of Genus make (Meter No 05793109), 3-Phase, 4-Wire type, with a CT-embedded capacity of 40–200 Amps. As per the Consumer Personal Ledger (CPL), the meter was in service prior to March 2024 and continued until its replacement on 07.04.2026. The submissions of both parties and the documents placed on record have been duly considered. The present Representation relates to the supplementary demand of ₹83,442/- raised towards alleged under-billing due to missing Y-Phase voltage during the period from 26.05.2025 to 01.09.2025.

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Evaluation of MRI Tamper Event Data: The tamper event data retrieved from the existing meter through the MDAS report have been examined and are tabulated below:

Table 5: Assessment of Under-recorded Consumption

Description	Occurred	Restored	kWh Consumed as per Tamper MDAS Report	Y phase Voltage
Y phase Potential Missing	26/05/2025 20:29:07	14/06/2025 19:30:32	2265.98	The Y-phase voltage fluctuated between 30 V and 100 V, with an average of 65 V, as against the normal voltage of 240 V. Consequently, the meter recorded only 9.03% of the actual consumption instead of 33.33%, resulting in an under-recording of 24.30% of the consumption.
Y phase Potential Missing	16/06/2025 09:27:26	20/06/2025 12.57.59	367.74	
Y phase Potential Missing	20/06/2025 13.16.19	27/06/2025 01.20.34	391.67	
Y phase Potential Missing	27/06/2025 08.20.19	07/07/2025 02.05.03	669.32	
Y phase Potential Missing	07/07/2025 08.46.18	13/08/2025 04.11.40	4233.92	
Y phase Potential Missing from 13.08.2025 to 01.09.2025 as per supplementary bill issued	13.08.2025 04.35.33 with reading 6,73,730.34 KWh	01.09.2025 with reading 678001.24 KWh		
i.e. difference of Final Reading -Initial Reading	673730.34	678001.24	4270.90	
	Total recorded consumption was 75.69% (R & B phases: 66.66% + Y phase: 9.03%), resulting in 24.31% under-recording due to partial non-availability of Y-phase voltage.		**12199.53**	**Under-billing of 3,918 (= 12199.53/ 75.69 %* 24.31%)units due to partial non-availability of Y-phase voltage.**
Remarks : The Respondent contended that Y phase was missing till the date of meter replacement on 07.04.2026. However, the Representation Assessment period is up to 01.09.2025. Hence, the period is limited till 01.09.2025 for this appeal case.				

On examination of the MRI Tamper Event Report, it is observed that Y-Phase potential was intermittently missing from 26.05.2025 to 13.08.2025. For the subsequent period from 13.08.2025 to 01.09.2025, the recorded consumption of 4,270.90 units was derived from the difference between the initial meter reading of 6,73,730.34 kWh and the final reading of 6,78,001.24 kWh. During this entire period, the Y-Phase voltage fluctuated between 30 V and 100 V, averaging 65 V, against the normal voltage of 240 V. Consequently, the meter recorded only 9.03% consumption against the expected 33.33% attributable to the Y-Phase.

Thus, the total recorded consumption constituted 75.69% (R and B Phases: 66.66% and Y-Phase: 9.03%), indicating under-recording of 24.31%. Accordingly, against the total assessed consumption of 12,199.53 units, the unrecorded consumption works out to 3,918 units, as detailed in Table 5.

Although the Respondent contended that the Y-Phase voltage remained missing until replacement of the meter on 07.04.2026, the present Representation is confined to the assessment period up to 01.09.2025. Therefore, the examination and consequential recovery are restricted to the said period.

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In view of the above assessment, the supplementary demand of ₹83,442/- is not sustainable in its entirety and requires revision based on the established under-recording of 3,918 units, as detailed in Table 5. Accordingly, **Issue No. 1 is answered as Partially Affirmative.**

12. The Judgment dated 18.12.2018 of Hon'ble Bombay High Court, Bench at Aurangabad in W.P. No. 8613 of 2017 is squarely applicable in the instant case. The relevant part of the Judgment is reproduced below:

> *"33 it is therefore, obvious in the present case that there was nothing intrinsically wrong with the meter. As under-recording of electricity consumed was associated with the act of the electrician in wrongly attaching the wires to the R, R & B phases. I am, therefore, of the view that such a wrong attachment of wiring by the electrician would not amount to a defect in the meter. Consequentially, due to the under recording of the meter, the Appellant has consumed such energy as was normally required to be consumed and the Petitioner has lost the revenue for such under recording.*
> *34. Clause 3.4.4 of the Regulations, 2005 enables the Petitioner to recover the charges for the electricity actually supplied, which would include a fixed charge as per the prescribed rates. The Appellant, therefore, has to pay full charges for the electricity actually consumed.*
> *35. In the Municipal Corporation case (supra), this court has sustained the supplementary bill raised by the Electricity Company and this Court has upheld the recovery of the amount mentioned in the supplementary bill."*

This Judgment is applicable in the instant case. As such the meter was not defective.

13. The recovery should be within the limit of 24 month as stipulated in Section 56(2) of the Electricity Act, 2003 which fulfils the statutory requirement of Section 56(2) of the Act in case of deficiency in service. The Section 56 (2) of the Electricity Act, 2003 is reproduced below:

> *"(2) Notwithstanding anything contained in any other law for the time being in force, no sum due from any consumer, under this section shall be recoverable after the period of two years from the date when such sum became first due unless such sum has been*

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shown continuously as recoverable as arrear of charges for electricity supplied and the licensee shall not cut off the supply of the electricity."

This Section 56 (2) of the Act has been interpreted by the Larger Bench Judgment dated 12.03.2019 of the Bombay High Court in W.P. No. 10764 of 2011 with Other Writ Petitions.

14. In the present case, although the Appellant's monthly meter readings were regularly recorded, the Respondent failed to detect and analyse the PT voltage-missing events during the relevant period. The failure to identify and address the PT voltage missing at the meter, despite regular recording of meter readings, amounts to **deficiency in service** on the part of the Respondent.

15. The order passed by the Forum is hereby set aside, in view of the findings recorded hereinabove and the consistent approach adopted by the Electricity Ombudsman in similar matters involving PT voltage missing. Accordingly, the Respondent is directed to revise the assessment and recover the amount as follows:

a) Y-Phase PT Voltage Missing: Recovery of 3,918 units of the under-recorded consumption as charted in Table 5.
b) to withdraw interest and delayed payment charges levied from November 2025 to date of issue of order.
c) The Appellant shall be permitted to pay the revised bill in 10 equal monthly instalments, without levy of interest and Delayed Payment Charges (DPC). In the event of default in payment of any instalment along with the current bill, the Respondent shall be at liberty to levy interest proportionately for the period of default and take further action in accordance with law.
d) The Respondent shall submit compliance of this Order within two months from the date of its issuance.
e) All other prayers of the Appellant stand rejected.

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

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17. The secretariat of this office is directed to refund the amount of Rs.25,000/- taken as deposit to the Respondent to adjust in the Appellant's ensuing bill.

Sd/
(Vandana Krishna)
Electricity Ombudsman (Mumbai)

(Dilip Dumbre)
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