

**Office of the Electricity Ombudsman**

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)

B-53, Paschimi Marg, Vasant Vihar, New Delhi – 110 057

(Phone No.: 32506011, Fax No.26141205)

**Appeal No.735/2016**

**IN THE MATTER OF:**

**Shri Rajesh Kumar Chopra - Appellant**

**Versus**

**M/s Tata Power Delhi Distribution Ltd. - Respondent**

**(Appeal against Order dated 22.09.2015 passed by the CGRF-TPDDL in CG No. 6739/07/15/PPR)**

**Present:**

**Appellant:** Shri Rajesh Kumar Chopra along with his Advocate  
Shri M.K. Gill

**Respondent:** Shri Vivek, Sr. Manager, Shri Anand Shanker, Manager &  
Shri Vikas Bhardwaj, Authorised Representatives of TPDDL

**Date of Hearings:** 11. 07.2016

**Date of Order:** 12.07.2016

**ORDER**

1. Appeal No.735/2016 has been filed by the Appellant, Shri Rajesh Kumar Chopra, H. No.2119, 1<sup>st</sup> Floor, Rani Bagh, Shakur Basti, New Delhi – 110034, against CGRF-TPDDL's order dated 22.09.2015 in CG No.6739/07/15/PPR.

2. The brief background of the Appellant's case is that he has been incorrectly charged with the arrears relating to a disconnected connection which actually pertained to premises other than the one he was occupation of and for which he had been granted a connection. The Appellant had earlier approached the Consumer Dispute Redressal Forum (CDRF) and deposited Rs.20,000/- on 26.08. 2010 on their interim direction. The case was subsequently dismissed by the CDRF in default o n 01.05.2015 after which he approached the CGRF-TPDDL for the withdrawal of the dues booked against him.

3. The CGRF directed a physical verification of the premises to establish whether the arrears did pertain to a property other than the one the Appellant was occupying. The spot verification conducted by the Discom proved that the Appellant's contention was correct with the two premises being situated at a distance of more than 400 yards from each other. The CGRF, accordingly, vide its order dated 02.09.2015, directed a revision of the bill with a

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withdrawal of the LPSC. The CGRF also noted in its order that an amount of Rs.10,000/- was deposited by the Appellant in pursuance of the CDRF's interim order in 2010.

4. The Appellant has filed this appeal claiming a refund of Rs.20,000/- with interest and a compensation of Rs.50,000/-. While the CGRF's order mentions that the Appellant deposited Rs.10,000/- in compliance with the CDRF interim order, the Appellant has stated that he had actually deposited Rs.20,000/-, submitting the receipt of deposit in support of his contention. Since the CGRF took note of Rs.10,000/- only instead of Rs.20,000/-, he claims that he requested the CGRF for an amendment to their order which was declined by the Forum on the ground that the case had already been decided and the orders issued could not be revisited. The Appellant has, therefore, been left with no alternative other than to approach this office for redress.

5. After going through the details of the case, I am of the view that CGRF should have taken note of their omission / oversight in correctly mentioning the amount deposited by the Appellant, particularly in view of the fact that he produced the deposit receipt as proof.

6. The electricity bills attached by the Appellant with his plaint, which are dated after the CGRF's order, continue to show arrears. When queried during the hearings, the Discom accepted that there were issues and undertook to address the problem and sort it out.

7. In the meantime, it is also observed that there is a very clear case of deficiency of service on the part of the Discom insofar as it is difficult to understand how they failed to carry out a physical verification at the outset itself on their own following the initial complaint by the Appellant to establish whether the premises in question were at the same location or not, finally doing so only after the CGRF's directions to that effect. This is a serious breach in the quality of customer service on the part of the Discom due to which a bonafide consumer has been put to avoidable harassment. The CGRF needs to take specific cognizance of this.

8. In summary, the main issue now revolves around a reconciliation of the amount already paid by the Appellant vis-à-vis his demand for refund and compensation and the issue of a revised bill so that the case is settled.

9. The case is, accordingly, remanded back to the CGRF with the direction that it be revisited and decided on merits while taking into consideration the amount paid by the Appellant on the directions of the CDRF, the continued reflection of substantial arrears in the bills which post-date the CGRF's order of 22.9.2015 and the patent deficiency in the quality of the customer service rendered by the Discom as noted above.

*Sundaram Krishna*  
**(Sundaram Krishna)**  
**Ombudsman**  
**12.07.2016**



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