

BEFORE THE ELECTRICITY OMBUDSMAN

No.16 C-1, Miller Tank Bed Area (Behind Jain Hospital)
Vasanthanagar, Bengaluru-560052.

Present: S.S Pattanashetti,
Electricity Ombudsman,

Case No. OMB/B/G-376/2019

Dated 27/11/2019

In the matter of

M/s. Man Diesel Turbo India (P) Ltd.,
#113/B, Link Road,
Jigani, Anekal Taluk,
Bengaluru District.

Represented by:

Shri M.A Delvi,
Advocate,
#8, 3rd Cross, Pottery Town,
Bengaluru - 560046 -

Appellant

Vs

- 1) The Assistant Executive Engineer (Elec),
O & M Jigani Sub-Division, BESCOM,
Jigani,
Bengaluru District.
- 2) Chairperson, Consumer Grievance Redressal Forum (CGRF)
Bengaluru Urban District,
Superintending Engineer (Ele),
West Circle Office, BESCOM,
CA Site, No. 05, West of Chord Road,
3rd Stage, Bhima Jyothi, HSBC Layout,
Next to Chord Road Hospital, Basaveshwarnagar,
Bengaluru – 560079. -

Respondents

- 1) This is an application filed by the Complainant against the non-issuance of order by the CGRF on their complaint for restoration of power supply to their installation in the file of CGRF bearing No. CGRF 49/2019-20/23.10.2019 dated 07-11-2019.

- 2) The installation bearing RR No. AKLHT-393 in the name of the Complainant was serviced under HT-2A (1) Tariff on 19-04-2008. On 25-09-2019 the unit of the Complainant was visited by the vigilance of BESCOM and the power supply was disconnected. On 09-10-2019 a provisional bill was issued by the Respondent-1/AEE. The bill was prepared under 42.02 of Conditions of Supply of Electricity (COS), but in the bill a compounding fee of Rs. 19,84,000/- has been included. The question of compounding fee arises only when there is theft of electricity. The Respondent-1/AEE who was present at the time of hearing held on 27-11-2019 has admitted the fact there is no theft of power in the present case but only misuse of power. In the provisional bill dated 09-10-2019 no opportunity has been given to the consumer to file his objections. He admits that this is against the principles of natural justice.
- 3) In the complaint filed before this authority dated 18-11-2019 the Complainant has prayed for an interim order of restoration of electricity pending final order.
- 4) Perused the complaint memo and the documents submitted along with it. Heard the arguments of the Complainant's representative and also the arguments of the Respondent-1/AEE. In the interest of equity and justice the following order is passed.

No. OMB/M/G-376/2019/D-1397

Dated 27-11-2019

O R D E R

1. Interim order as prayed for in the complaint memo dated 18-11-2019 is granted directing the Respondent-1/AEE to restore power supply to the Complainant's installation bearing No. AKLHT-393, pending final orders of CGRF Bengaluru Urban District, in the complaint filed by the Complainant.

Sd/-
(S.S Pattanashetti)
Electricity Ombudsman.