

**Before the Ombudsman, KERC, Bangalore**  
**Present: Shaik Ahmed,**  
**Ombudsman**  
**Case No.OMB/M/G-9/2006/**  
**Dated : 28.04.2006**

**Appellant:**

Shri Purushotham Bhat  
Robosoft Technologies,  
3-174, A4, II Floor,  
Hanuman Transport Building,  
Chitpady,  
**UDUPI-576101.**

**Respondents:**

1. The Asst.Executive Engineer(Ele)  
Udupi Sub-Division,  
MESCOM,  
**UDUPI.**

2. The Consumer Grievance Redressal Forum,  
MESCOM Corporate Office,  
Paradigm Plaza, A.B.Shetty Circle,  
**MANGALORE=575001.**

**O R D E R**

The Appellant has preferred this appeal seeking additional relief. The case of the Appellant is that he runs a software manufacturing unit located in a multi-storeyed building in Chitpady area of Udupi Town. He had filed an application before the 1<sup>st</sup> Respondent for sanction of additional load for his industrial installation (LT-5) bearing RR No.22199. The 1<sup>st</sup> Respondent while

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sanctioning the additional load has collected a sum of Rs.1,05,000.00 towards augmentation and other charges. According to him, the sanctioned load was under LT-5 category while the augmentation fee levied on him by the 1<sup>st</sup> Respondent was under LT-3 category. Aggrieved by the excess collection of augmentation charges, he had filed a petition before the 2<sup>nd</sup> Respondent seeking direction for refund of the excess amount.

The 2<sup>nd</sup> Respondent, after hearing both the parties, has held that the 1<sup>st</sup> Respondent has actually collected the augmentation charges prescribed for LT-3 installations and, therefore, has ordered to refund the excess amount to the Appellant. In pursuance of the order passed by the learned CGRF on 05.01.2006, the 1<sup>st</sup> Respondent has refunded a sum of Rs.74,500.00 to the Appellant on 28.01.06 after deducting the augmentation charges applicable to LT-5 installations. The Appellant has filed yet another petition before the 2<sup>nd</sup> Respondent seeking a direction for payment of interest on the excess amount held by the 1<sup>st</sup> Respondent. The 2<sup>nd</sup> Respondent has endorsed the Appellant to approach the Ombudsman in an appeal if he was not satisfied with the relief granted by the impugned order dated 05.01.2006. The Appellant, therefore, comes in an appeal before the Ombudsman praying for payment of interest on the excess amount held by the 1<sup>st</sup> Respondent.

I have gone through the relevant records. As per Section 29.09 of the KERC (ES & D) Code 2001, as amended from time to time, the excess amount has to be credited to the consumer's account within one month after such an excess payment is noticed. In the instant case, the learned CGRF has noticed the excess payment on 05.01.06 and the 1<sup>st</sup> Respondent has refunded the

excess amount on 28.01.06 i.e. within 23 days after the excess payment was noticed. Since the excess amount collected from the Appellant has been refunded to him by the Licensee within 30 days, payment of interest on the excess amount does not arise.

Hence, the appeal does not merit consideration and is accordingly rejected.

(Shaik Ahmed)  
Ombudsman

**Copy to:**

1. Shri Purushotham Bhat, Robosoft Technologies,3-174, A4, II Floor, Hanuman Transport Building,Chitpady, Udupi-576101.
2. The Consumer Grievance Redressal Forum, MESCOM Corporate Office, Paradigm Plaza, A.B.Shetty Circle, Mangalore-575001.
3. The Managing Director, MESCOM Corporate Office, Paradigm Plaza, A.B.Shetty Circle, Mangalore-575001.
4. The Asst.Executive Engineer (Ele), MESCOM, Udupi Sub-Division, Udupi.
5. The Executive Engineer(Elec), O & M Division, MESCOM, Udupii.
- 6.PS to Chairman
- 7.PS to Member-I
- 8.PS to Member-II
- 9.Consultant (C.A.)















































































































































































