

BEFORE THE VIDYUT OMBUDSMAN

Present

**K.Sanjeeva Rao Naidu, Director (Law) and
Vidyut Ombudsman**

Dated: 15 -02-2010

Appeal No. 6 of 2009

Between

Sri B.Subrahmanyam,
Sr.Citizen, H.No. EWS-102, H.B.Colony
Moulali, Hyderabad.

... Appellant

And

The Asst. Accounts Officer / ERO/APCPDCL/Habsiguda/Hyderabad
The Asst. Engineer / operation / APCPDCL / Moulali / Hyderabad
The Asst. Divisional Engineer / Operation / APCPDCL / Habsiguda/ Hyderabad
The Divisional Engineer / Operation / APCPDCL / Habsiguda / Hyderabad
The Superintending Engineer / Operation / APCPDCL / Hyd (West) circle / Hyderabad
The General Manager / Customer Services / APCPDCL /Corp.Office / Hyderabad.

....Respondents

The appeal / representation dated 26.12.2008 received on 03.01.2009 of the appellant has come up for final hearing before the Vidyut Ombudsman on 09.02.2010. There is no representation on behalf of the appellant and Sri K.S.Harish Chandra Sekhar, AAO / ERO / Habsiguda, respondent and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following:

AWARD

Aggrieved by the orders of the Forum in CG No. 27/2008-09 of Hyderabad (West) Circle dated 06.12.2008 the present appeal is filed on 03.01.2009.

2. The case of the appellant is that he has not received bills in respect of S.C.No.420 and S.C.No.471 for the month of August, 2008 and when he

contacted the Forum he got two electricity bills through AE/Moulali messenger within 2 hours without recording on the spot for 33 units (399 – 366) in respect of S.C.No.471 for Rs.67/- and 73 units (1080 – 1007) in respect of S.C.No.420 for Rs.153/-. The amount for S.C.No.471 was Rs.67/- minimum claim as such he paid bills amount in Meerpet E-Seva. The S.C.No.420 was not used in the month of August as the people in that house were away and the bill amount must be minimum. The bill dated 11.10.2008 issued for Rs.153+Rs.65/- totaling to Rs.218/- is quiet irregular and requested the Forum to render justice to collect minimum amount @ Rs.65/- per month totaling to Rs.130/- for August and September in respect of S.C.No.420. He is also not happy over incorrect meter reading recorded for S.C.No.420 and S.C.No.471.

3. The Assistant Accounts Officer/ERO/Habsiguda has stated in his written submissions that the bills are being issued through spot billing agencies by Assistant Engineers. After spot billing, the machines were being sent to private accounting agencies for consumer wise abstract for billing. However, as per the letter from AAE,Moulali, the wrong bill issued in respect of S.C.No.1701-420 has been revised and the excess bill amount of Rs.96/- has been withdrawn and informed the same to AE/Operation/Moulali.

4. The Forum after considering the same have observed that the department has withdrawn the amount of Rs.96/- billed and the complaint received by the Forum and grievance deemed to be resolved by the respondents to the satisfaction of the complainant.

5. Aggrieved by the said order, he preferred this appeal mainly claiming Rs.1000/- towards cost of correspondence for irregularities and Rs.2000/- for physical and mental agony put forth to a senior citizen.

6. Now, the point for consideration is, whether the petitioner is entitled to the said amounts as prayed for?

7. When notice is ordered by this Authority, the petitioner has not turned up on 28.01.2010, whereas the respondent Nos. 1 to 3 present on that date. Again, another letter was addressed by Registered post with Acknowledgment Due on 28.01.2010 to the petitioner and the letter addressed to the petitioner was returned with postman's remarks that the party expired and nobody has attended on that behalf.

8. However, the Forum has rightly resolved the issue so far as the claim made by the appellant is concerned. But now he claimed some more amounts towards the correspondence and mental agony in this appeal, though they were not claimed before the Forum.

9. At any rate, these two items are his personal relief's sought by him and the same cannot be granted as he has not claimed before the Forum. Even otherwise, it is not enforceable as the personal action dies with the man (*action personalis cum moritum*). In his absence there is no other option except to dispose of the case on merits on the material available and also by hearing the persons present at the time of hearing. The respondent is represented by Sri K.Harish Chandra Sekhar, AAO/ERO/Habsiguda and he has categorically stated that relief sought by him before the Forum is complied with.

10. In the light of the above said observations, there are no grounds to consider the request made by the appellant and appeal preferred by the appellant is liable to be dismissed.

11. In the result, the appeal is dismissed.

This order is corrected and signed on this day of 15th February 2010.

VIDYUT OMBUDSMAN