**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION NORTH GOA, AT PROVORIM**

**Consumer Complaint No: /20**

Balchandra Mukund Naik

Occupation: Professional Dancer

S/o Late Mukund Naik

Married, age 56 years,

R/o H.No. 176, Deulwada,

Harmal, Pernem-Goa, …Complainant

V/s

The Executive Engineer,

Electricity Department,

Provorim, Bardez, Goa … Opposite Party

**COMPLAINT UNDER SECTION 35 OF THE CONSUMER PROTECTION ACT, 2019**

1. The address of the Complainant for the purpose of service of summons, notice, etc is as shown in the cause title above and that of his counsel
2. The address of the Opponents for the very purpose is the same as shown in the cause title above.
3. Herein the above-named Complainant most respectfully submits as under,
4. That the Complainant is a consumer of electricity bearing consumer number 878955869 supplied by the Opposite Party's electricity department.
5. That the Complainant has been regularly paying the electricity bills raised by the Opposite Party for my domestic electricity connection.
6. That the Opposite Party started issuing excessively high electricity bills for Complainant’s connection from January 2021 onwards till date alleging commercial usage, even though my connection is strictly for domestic usage.
7. That despite bringing this illegal and excess billing to the notice of the Opposite Party through oral and written communications, they have failed to take any steps to rectify the billing errors.
8. That due to the deficient and negligent service of the Opposite Party, the Complainant has been billed illegally and has had to pay excess amounts of approximately Rs. 12,000/- for the period last 6 months.
9. That the illegal, excessive, and erroneous billing by the Opposite Party amounts to deficiency in service and indulgence in unfair trade practices as defined under the Consumer Protection Act, 1986.
10. That the Opposite Party's conduct and excessive billing have caused me immense mental agony and hardship.
11. That the Complainant through this advocate has sent a legal notice dated 10/07/2021 to the Opposite Party, calling upon the Opposite Party to rectify the billing errors and refund the excess amounts collected, but no action has been taken by them.

**IV. Cause of Action**:

1. The Cause of Action to file this complaint first arose in January 2021 when the Opposite Party began to excessive, and erroneous electricity billing and continued till legal notice was sent to the Opposite party on 10/07/2021 calling upon the Opposite Party to rectify the billing errors and refund the excess amounts collected, but no action has been taken by them. This Complaint has been filed within the limitation period.

**V. LIMITATION**

1. That the present complaint is being filed within a period of two years from the date of cause of action i.e. date of the incident, as prescribed under section 69 of the Act, 2019.

**VI. Jurisdiction:**

1. The complainant resides within the jurisdiction of this Hon'ble Court, so also the opponent's registred office is situated within the jurisdiction of this Hon'ble Court. Hence this Hon'ble Court has got jurisdiction to try and entertain this complaint.

VII]   **Court Fees:**

1. In line with Rule 7 of Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020, no court fee has been paid as the value of the impugned product is less than Rs 5 lakhs, and stipulated three copies of the complaint have been submitted.

VIII]   **Prayer:**

It is therefore most humbly prayed that setting all the contentions of the Opponents if any an order may kindly be passed against the Opponents in the following terms,

* 1. Direct the Opposite Party to correct the electricity billing errors immediately and raise bills strictly as per actual domestic usage.
  2. Direct the Opposite Party to refund the excess amounts of Rs. 12,000/- illegally collected from me along with interest within a stipulated time period.
  3. Award compensation of Rs. 1,00,000/- for the mental agony and hardship caused due to the deficient service.
  4. Aware Litigation cost of Rs. 50,000/-
  5. Pass any other order that the Hon'ble Commission may deem fit in the interest of justice.

PORVORIM

DATE

Advocate for Complainant

**Verification**

Herein I, Balchandra Mukund Naik, do hereby state on the solemn affirmation that the contents of the above paragraphs are read over and explained to me in my vernacular, and the same is found to be true and correct to the best of my knowledge, belief, and information.

**PORVORIM**

**/06/2022 Complainant**