

In the Court of Mahmood Ahmed Shakir Jajja, Presiding Officer/ District & Sessions Judge, District Consumer Court, Bahawalpur

Ahsan-ul Haq Bhatti Vs R.M SGNPL etc.

Case No. 2073/11
Dated of Institution: 27-01-2011.
Date of Decision: 23-11-2011.

Present: Parties along with their counsel.
 Arguments heard. Record perused.

Order:-

The version of the complainant is that he has been appointed as Assistant Commissioner Bahawalpur since 14-01-2008; that he got possession of Government accommodation House No. 3/C, Officer's Colony, Club Road, Bahawalpur on 30-11-2008; that he is still resident of the said accommodation; that he has been paying sui gas bills regularly; that the respondents replaced the meter without intimation on 27-09-2010; that after replacement of the sui gas meter, he has paid sui gas bills till 31-12-2010; that he felt leakage of gas after replacement of meter in the house; that he made a complaint to the respondents on 10-12-2010; that thereafter, the leakage was stopped by the staff of the respondents but they malafidely issued a bill of Rs. 33790/- for the month of January, 2011; that the complainant contacted the respondents and requested for correction of the bill but they flatly refused; that there is no fault on the part of complainant if leakage was occasioned in the fittings done by the respondents; that the consumption of gas is for domestic purpose that is not more than Rs. 500/- per month as is evident from previous record; that he has requested for correction of the disputed bill of Rs. 33790/- and issuance of average bill which he is ready to pay.

The version of the respondents is that they have checked his billing record which reveals that gas bills issued to the consumer are correct as per actual consumption / reading recorded by their meter inspector; that the respondents have noted meter reading with Hand Held Unit instead of manual which record reading digitally and an image is

also preserved of every reading; that the reason of high gas bills might be due to high consumption or leakage in internal houseline fittings and it is responsibility of consumer to get it required to keep the gas bills with in limit; that consumer has not come in the court with clean hands; that he has filed this petition to avoid the payment of disputed bill; that he may kindly be directed to pay all his outstanding arrears of Rs. 71,690/- up to billing month of February, 2011 and that his suit be dismissed with costs.

After adjudging the arguments and perusal of the record available on file, it has been observed that the petitioner has regularly been paying his monthly bills as is evident from original bills produced by him as Ex-P A-1 to Ex-P A-3. A bare perusal of these bills make out that the consumption of petitioner's house is normal as he has only been consuming the gas for his domestic use. There is only month of December and January when the gas consumed more gas for Rs. 2022/- and Rs.1199/- respectively but in all the other months, his consumption is not more than almost Rs.500/- per month. Whereas, the disputed bill issued in November, 2010 to be paid up till 09-12-2010 is of Rs. 31590/- which is apparently much more than the average consumption. It is an admitted fact that the meter of the petitioner was replaced by the respondents and leakage has occurred after this replacement. So, the leakage is due to the fault on the part of the respondents and not that of the petitioner because the respondents staff did not properly fitted the joints etc of gas pipes. Therefore, the petitioner is not bound to pay the over billing of disputed bill. The same is clearly illegal and against the actual consumption of the petitioner. Therefore, the same is hereby cancelled and respondents are directed to issue the petitioner average bill from December 2010 to November 2011 in accordance with rules. The petition in hand is accordingly allowed in favour of the petitioner and against the respondents. File be put up after issuance of execution notice on 24-12-2011.

Announced:

23-11-2011

Presiding Officer