

**Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)**

**Appeal No. 31 of 2007**

**Dated: August 2, 2007**

Present: **Hon'ble Mr. Justice Anil Dev Singh, Chairperson**  
**Hon'ble Mr. A.A. Khan, Technical Member**

**Cement Corporation of India Ltd.**  
**V/s.**

**-Appellant(s)**

**Himachal Pradesh State Electricity Board & Anr.**

**-Respondent(s)**

Counsel for the Appellant(s) : Mr. Ramji Srinivasan and Mr. Vikas Soni

Counsel for the Respondent(s) : Mr. M. G. Ramachandran,  
Mr. Anand K. Ganeshan and  
Ms. Swapna Seshadri for HPSEB

**ORDER**

The dispute raised by the appellant is a billing dispute. We have already taken a view in appeal no. 220 of 2006 dated March 30, 2007 that we have no jurisdiction in a matter which raises a billing dispute. Again, in appeal nos. 30,164 of 2005 and 25 of 2006 dated March 29, 2006, it was held by this Tribunal that the consumers have a definite forum to remedy the billing disputes under Section 42(5) of the Electricity Act, 2003 and they must work out their remedies accordingly. The learned counsel for the appellant states that the matter may be referred to the Consumers' Grievances Redressal Forum, which will have jurisdiction to adjudicate a

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billing dispute. The learned counsel for the respondent has no objection to the matter being sent to Consumers' Grievances Redressal Forum for adjudication.

Having regard to the stand of the learned counsel for the parties, the appellant is permitted to approach Consumers' Grievances Redressal Forum for adjudication of the billing dispute. It would be open to the parties to raise such contentions and pleas before the Consumers' Grievances Redressal Forum as are permissible in law. In case the petition is filed within a period of 30 days by the appellant, the respondent shall not raise objection with regard to limitation, if any.

The appeal is accordingly disposed of.

**(A.A. Khan)**  
Technical Member

**(Anil Dev Singh)**  
Chairperson