



**BEFORE THE VIDYUT OMBUDSMAN  
Andhra Pradesh:: Amaravati**

: Present :

**G. Venkata Krishnaiah  
Former Principal District & Sessions Judge  
Vidyut Ombudsman**

**The 22<sup>nd</sup> day of December, 2025**

**Representation No.15 of 2025-26**

**Between**

D. Murali Krishna, S/o. Narayana Raju, H.No.50-62-4/2/1, F.F.201, Anuraga Apartment, Rajendra Nagar, Seethampeta, Vizag-16 (wrongly shown as Settampeta, Anakapalli District in CGRF order)

... Representationist

**A N D**

1. The Accounts Officer/Finance/Circle Office/APEPDCL/Anakapalli (wrongly shown as Payakaraopeta in the CGRF order)
2. The Assistant Accounts Officer/ERO/APEPDCL/Anakapalli
3. The Dy. Executive Engineer/Operation/APEPDCL/Payakaraopeta
4. The Executive Engineer/Operation/APEPDCL/Anakapalli ... Respondents

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This representation having come up for final hearing before me on **18.12.2025** through Video Conference in the presence of the representationist, Respondent Nos.1 to 4, stood over for consideration till this day, and the Vidyut Ombudsman delivers the following:

**ORDER**

1. Having been aggrieved by the orders dated 25.09.2025 in C.G.No.676/2025 rendered by the CGRF, APEPDCL, Visakhapatnam, the complainant therein filed this present representation under clause No.18 r/w 19.2 of Regulation No.3 of 2016 seeking justice as they are not in a position to pay the amount as per the CGRF order as prayed for under the head "Nature of relief from the Vidyut Ombudsman" in Annexure II dt.23.10.2025.

2. The consumer who filed the representation was issued a bill for short fall amount from 06.04.2022 to 06.06.2025 and he challenged that before the CGRF, APEPDCL, Visakhapatnam by way of C.G.No.676/2025. The consumer is in fact a lessee of the original owner by name Koviri Mark. Short fall amount was estimated at Rs.19,35,020/- corresponding to 4,39,856 units not billed during the above period.

3. After hearing both sides, the CGRF directed the Discom authorities to issue revised demand duly restricting the short billing for two years only and allow aqua subsidy.

4. During the hearing, the respondents i.e., the Discom authorities have relied upon a judgment of the Hon'ble Supreme Court of India in M/s. Prem Cottex Vs. Uttar Haryana Bijli Vitran Nigam Ltd. & ors dt.05.10.2021 in Civil Appeal No.7235 of 2009. This case also relates to short billing to the tune of Rs.1,35,06,585/-. However, the consumer filed a complaint before the National Commission contending that the demand made by the respondents is the outcome of a glaring mistake and gross negligence on their part and that under Section 56 of the Electricity Act, 2003, no amount due from a customer is recoverable after a period of two years from the date on which it became first due. The National Commission by an order dt.01.10.2009 dismissed the complaint on the ground that it is a case of "escaped assessment" and not a case of "deficiency in service". In para 12 of the judgment, the Hon'ble Supreme Court referred to the judgment in Assistant Engineer (D1), Ajmer Vidyut Vitran Nigam Limited and Anr. Vs. Rahamatullah Khan alias Rahamjulla reported in **(2020) 4 SCC 650**, while referring to the judgment and the observations made therein, it is stated that Section 56 (2) does not preclude the licensee from raising an additional or supplementary demand after the expiry of the period of limitation in the case of a mistake or *bonafide* error. It is also held in para 24 of

the judgment in M/s. Prem Cottex case that "What is covered by section 56, under sub-section (1), is the negligence on the part of a person to pay for electricity and not anything else nor any negligence on the part of the licensee".

5. Thus, the above decision is clear that it does not provide for any limitation to collect the short fall amount from the consumer and Section 56 only relates to amount neglected to be paid by the consumer. Further, Section 56 (2) is very much clear in the sense that the bar of two years only relates to the bill amount neglected to be paid by the consumer.

6. In view of the above judgment and the scope of Section 56 (2), the licensee is entitled to collect the amount beyond the period of two years also.

7. The respondents have filed calculation for short fall amount from 06.06.2023 to 06.06.2025 with a tariff of Rs.1.50 paise per unit after excluding the aqua subsidy and this amount comes to Rs.8,60,466/-.

8. Therefore, the consumer is liable to pay the amount of Rs.8,60,466/- (Rupees eight lakhs sixty thousand four hundred sixty six only) within a period of 15 (fifteen) days excluding any amount which he has paid either during the pendency of the case before the CGRF, APEPDCL, Visakhapatnam or after the filing of this representation before this authority. Accordingly, the representation is accordingly disposed off.

A copy of this order is made available at [www.vidyutombudsman.ap.gov.in](http://www.vidyutombudsman.ap.gov.in)

This order is typed, corrected, signed and pronounced by me on this the 22<sup>nd</sup> day of December, 2025.

**Sd/- G. Venkata Krishnaiah**  
**VIDYUT OMBUDSMAN-AP**

**Copy by Registered Post with ack-due and also by mail to:**

1. D. Murali Krishna, S/o. Narayana Raju, H.No.50-62-4/2/1, F.F.201, Anuraga Apartment, Rajendra Nagar, Seethampeta, Vizag - 530 016 (Mobile Nos.9989764401, 9246907559; email: srivijayadurga@yahoo.in)

.. Representationist

**Respondents:**

2. The Accounts Officer/Finance/Circle Office/APEPDCL/Anakapalli - 531001

3. The Assistant Accounts Officer/ERO/APEPDCL/Anakapalli - 531 001

4. The Dy. Executive Engineer/Operation/APEPDCL/Payakaraopeta - 531 126

5. The Executive Engineer/Operation/APEPDCL/Anakapalli - 531 001

.. Respondents

**Copy by Registered Post with ack-due to:**

6. The Chair Person, CGRF, APEPDCL, P&T Colony, Seethammadara, Near Gurudwara Junction, Visakhapatnam - 530 013.

**Copy submitted by Registered Post with ack-due to:**

7. The Secretary, Hon'ble APERC, Vidyut Niyantrana Bhavan, Adjacent to 220/132/33/11 KV AP Carbides Sub Station, Dinnedavarapadu Road, KURNOOL -518 002, Andhra Pradesh.

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**VIDYUT OMBUDSMAN-AP**

**Dis.No.                      dt.22.12.2025**