

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM,  
AURANGABAD.

Case No. CGRF/AZ/AUR/U/448/2012/21.

Date of Filing 11.06.2013  
Date of Decision 31.07.2013

Complainant.

Mrs. Shaikh Kaushar Begum,  
Flat No. 17 Nandlal Complex,  
Juna Bazar, Aurangabad

VERSUS.

The Nodal Officer,  
MSEDCL, Urban Circle,  
Aurangabad.

Respondents.

M/s GTL Limited,  
Franchise of MSEDCL.  
CIDCO, Aurangabad.

**CORAM:**

Shri. V.B.Mantri. Chairperson.  
Shri S.K. Narwade Member/Secretary  
Shri V.S. Kabra, Member.

## **REDRESSAL - DECISION.**

1. The Grievance of the complainant is regarding non – release of connection to the premises of the complainant.
2. The case of the complainant in brief is that, complainant has purchased that, bearing flat No. 17 in commercial complex called as Nandlal Building situated at Juna Bazar, Aurangabad. The complainant Submitted an application to release electricity connection at her residential Flat, The respondent however sent of demand notice to clear up dues of Rs.77914 and RS.10,223 due against old P.D. Connections. It is submitted that, the reasp9ondent has released electricity connection to all the shops and rest of Flats of the building, but illegally withheld connection to the Flat of the complainant. The respondent may be therefore directed to release the connection to the flat of complainant and further Claimed cooperation as per sop Regulations 2005 Rs. 100/- per week and Rs. 5000/- towards harassments
3. The respondent No I MSEDCL submitted reply and thereby submitted That, there are arrears on the premises and therefore, new connection cannot be released
4. The respondent no 2 GTL has submitted its reply and thereby pleaded that, The complainant is not consumer as per definition of see 2 (15) of the Act, Ro this forum cannot entertain the petition it is then resubmitted that, connection was given on the premises bearing consumer no 490041670633. The said consumer is in arrears of Rs.8,835.64 ps. As on

today from the date of P.D. (w.e.f. July 2004) The said amount is payable, from that premises New connection therefore cannot be released

5. These Forum hard submissions of Mr. Kapadiya for the complainant. He has also submitted additional reply. Heard submissions of Nodal officers of both the respondents. The following points arise for our determination

1. Whether this Forum has Jurisdiction to entertain the Grievance
2. Whether Complainant is entitled for new connection
3. What redressal.

6. The findings of this Forum to the above points are as follows/-

1. Yes.
2. Yes.
3. as follows :-

#### R E A S O N S

There is bi dispute that, there was former connection to the building called as Nandlal Building. The complainant has purchased a Flat bearing flat no 17 out of the building. The connection was disconnected permanently at is the case of GTL that there are arrears of Rs. 8,835,64 Rs. against the P.D. The connection was taken by builder It is further undisputed Fact that the respondent has released connection of all other Flats and shops out of the same building on which there are arrears No specific reasons have been assigned as to why then the respondent has withheld release of connection to the complainant only. In case new connection cannot be released of the bill is in arrears, then how the respondent could release the connection to all other flat holders and shop. Hence the objection or the reasons put forth by the respondent is not Justified as it is discriminatory

The respondent may recover the arrears of bill from the builder by taking appropriate course. This Forum is therefore of the opinion that, the complainant is entitled for the connection and respondent should release it within two weeks as per rules. There was already supply to the building. The complainant is aspirant of new connection. The complainant as such is consumer for the restricted purpose of taking new connection. There is no alternate forum for such relief. This Forum as such is having Jurisdiction to enquire the complaint. The points Rs. 1 2 are thereby answered in affirmative. The Grievance of complainant is required to be allowed. He is entitled for the redressal of Grievance. The Forum thereby proceeds to pass following Order.

#### O r d e r

1. The Grievance of the complainant is hereby allowed
2. The respondents are hereby directed to release New electric connection to the complainant as per rules within two weeks from the date of this Order.
3. No Order as to costs and compensation.

Sd/-  
(V.S.Kabra)  
Member

Sd/-  
(S.,K.Narwade)  
Member/Secretary

Sd/-  
(V.B.Mantri)  
Chairperson

