

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/

Date :

Case No. 416

Hearing Dt. 07/01/2012

Smt. Sunaina R. Gupta

- Appellant

Vs.

MSEDCL Bhandup Division

- Respondent

Present during the hearing

A] - On behalf of CGRF, Bhandup

- 1) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.
- 2) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B] - On behalf of Appellant

- 1) Shri Ramchandra C. Rao, Consumer representative.
- 2) Shri Ramdas Gupta, Consumer representative.

C] - On behalf of Respondent

- 1) Shri P.H. Shirke, Dy. Ex. Engr. Pannalal S/Divn., Bhandup.

ORDER

Smt. Sunaina Ramdas Gupta had purchased a single room premises from Shri Kera Yadav at Yadav Chawl, Tulshet pada, Lake Road, Bhandup. The purchaser had applied for new residential single phase electric connection to the utility. The utility denied electric connection under the reason that there are huge P.D. arrears on this premises. The arrears position put forth by utility is as follows :

- 1) Shri Kera D. Yadav – P.D. arrears of consumer no. 800000010223 ` 42,374/-.

- 2) M/s. Yadav Rubber Works – P.D. arrears of consumer no. 100000146077 ` 3, 36,147/-.
- 3) Smt. Chandrajyoti K. Yadav - P.D. arrears of consumer no. 000053164820 ` 74,763/-.
- 4) Shri Ramprasad K. Yadav- Theft detected on 30/09/2005 of consumer no. 000051164466 vide FIR no. MISC 1934/05 of ` 13,170/-.

The premises purchased by Smt. Sunaina R. Yadav is in the same compound. The consumer Applicant claimed that she do not pertains to these P.D. arrears being there is no electric connection in her purchased premises and she has no relation with the persons under P.D. arrears. The representative of Applicant stated that the old arrears should be recovered from the concerned consumes who are residing in the same chawl. He further added that the electricity is a basic need and they should not be deprived of.

The utility officer present during hearing claimed that the premises purchased by the Applicant was provided with the electric connection under consumer no. 00005114466 where the arrears are pending for an amount ` 3, 16,120/- in the name Shri Ramprasad Kera Yadav. As the agreement of sale & purchase is executed between Kera Yadav & Smt. Sunaina R. Gupta the notice is served to Smt. Sunaina for payment of these arrears. Moreover the Applicant consumer has no authentic registered documents showing the premise is different from the arrears holding premises.

The Opponent further stated that it is confirmed the premises is under huge arrears is pending and hence at such place new connection can not be released.

The Opponent however could not pin point the exact location of the premises holding arrears. It is also observed that the Applicant could not produce the authentic document to locate the premises. viz-corporation tax receipt, registered sale deed document etc. in such circumstances it is very difficult to decide whether the utility claiming the old arrears is on the

same premises. The consumer also could not prove that the premises on which there in huge arrears is a separate & different entity then the premises of he Applicant. arrears on the premises by producing the separate identity of the purchased premises.

During the proceeding it was reveled that the holding arrears is residing in the same chawl. There is no explanation as to recovering the why the utility is not recovering the arrears from the concerned consumer.

The Forum therefore feel that when it is difficult to locate the exact premises/ location of premises holding the arrears and when the consumer holding these arrears is residing in the same chawl there is justification to refuse the Applicant in granting the new connection for residential use.

The utility is therefore directed to sanction the new electric connection observing other all formalities at earliest.

No order as to the cost

Both the parties be informed accordingly.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 19 March 2012

Note : 1) If Consumer is not satisfied with the decision, he may file representation within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman
The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051.

2) If utility is not satisfied with order, it may go in appeal before the Hon. High Court within 60 days from receipt of the order.

DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP