



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. K/E/1263/1489 of 2017-18	Date of registration	: 23/10/2017
	Date of order	: 07/12/2017
	Total days	: 45

IN THE MATTER CASE OF GRIEVANCE NO. K/E/1263/1489 OF 2017-18 IN RESPECT OF SHRI SAMARJEET A.YADAV, SUBHASH NAGAR COLONY, E-150, OPP. ROYAL HALL, DIST.THANE, ULHASNAGAR - 421 003 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING P.D. ARREARS.

Shri Samarjeet A.Yadav,
Subhash Nagar Colony,
E-150, Opp. Royal Hall,
Dist.Thane,
Ulhasnagar-421 003
(Consumer No.021510141447) (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited
through its Nodal Officer,
Kalyan Circle-II, Kalyan, (Hereinafter referred as Licensee)

Appearance : - For Licensee : Shri.M.S.Gavali, AEE., Ulhasnagar S/dn-II.
For Consumer : Shri.J.S.Rajput (C.R.)

[Coram- Shri A.M.Garde- Chairperson, Shri A.P. Deshmukh-Member Secretary
and Mrs. S.A.Jamdar- Member (CPO)].

- 1) Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'. Further the regulation has been made by MERC i.e. Maharashtra Electricity Regulatory Commission.

[Electricity Supply Code and other conditions of supply Regulations 2005] Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.' Hereinafter referred 'SOP' for the sake of convenience.

- 2] This is a prospective consumer who made an application on 03/12/2017 for electric connection for domestic use. The section officer informed vide a letter that, there are arrears of charges of the year 2004 for the said premises in the name of the Rajubali Yadav in the sum of Rs.85890/-. There is no record in respect of the said arrears except CPL. the said arrears were required to be recovered within two years. In spite of that no recovery was made nor disconnection done at that time.
- 3] Consumer therefore prayed for fresh connection.
- 4] Licensee filed reply stating that there are arrears on premises in the sum of Rs.85849.67 in name of Rambali Yadav having con no.02150141447/4. Licensee requested consumer to pay the arrears to which he did not respond. If the bill is paid connection will be released.
- 5] We have heard both sides. At the out set complainant claims to have occupied the said premises from its erstwhile owner. He thereafter claims to be a transferee. Hence Regulation 10.5 of MERC (Electricity Supply Code and Other Condition of Supply) Regulation 2005 will apply. Licensee has produced C.P.L. for P.D. period as such bill for six month prior to P.D. can be ascertained.
- 6] Complainant however had not produced any document to show that he is a transferee. He produced copy of an agreement during arguments ; but there was some discrepancy in the description of the property. He produced several documents but all were in the name of earlier occupant. Ultimately Complainant asked for one month time to produce municipal tax record. The matter was kept on 13/12/2017. Before that date he has produced Municipal corporation letter showing mutation of his name done to said property for the purpose of taxes. Hence matter may be now concluded.

Hence the order.

ORDER

- 1] Grievance application of consumer is hereby allowed.
- 2] Consumer to pay bill for the period of six month prior to date of permanent disconnection.
- 3] Upon payment of the same Licensee to release electricity connection to consumer.
- 4] No SOP.
- 5] Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 07/12/2017

(Mrs.S.A.Jamdar)
Member
CGRF, Kalyan

(A.P.Deshmukh)
MemberSecretary
CGRF, Kalyan.

(A.M.Garde)
Chairperson
CGRF, Kalyan.

NOTE:-

- a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission,606/608, KeshavBldg, BandraKurlaComplex,Mumbai 51”.

- b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or

- c) delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address:-

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.