

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Zone, Nagpur**

Case No. CGRF(NZ)15/2017

Applicant : Shri Bharat S.Kesharwani
770 Prem Nagar
Nagpur.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(D/F.) NUC,MSEDCL,
NAGPUR.

Applicant :- In person.

Respondent by 1) Shri Vairagade, EE, Nodal Office
2) Shri Tekam, Nodal Office.
3) Shri Dahasahastra, SNDL Nagpur.

Quorum Present : 1) Shri Shivajirao S. Patil,
Chairman.

2) Shri N.V.Bansod
Member

3) Mrs. V.N.Parihar,
Member, Secretary

ORDER PASSED ON 21.03.2017.

1. The applicant filed present grievance application before this Forum on 30.01.2017 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Applicant's case in brief is that, he applied for new electric connection but his application is rejected by SNDL on the ground that old P.D. dues Rs.8029/- against

the old P.D. consumer No.410016641425 in the name of Shri Ganesh M.Dhone and Rs.7468 against consumer No.410011335211 in the name of Shri Kisan P.Dhoke are pending. But applicant was not ready for the same therefore he filed the application before IGRC vide case no.1182/2016. As per order dated 31-12-2016 IGRC hold that -- (1) PD dues of old PD consumer no.410011335211 is set aside and not recoverable. Further IGRC hold that -- (2) collect Rs.4350/- only from the applicant towards old PD dues against consumer no.410016641425 and after payment of the same, process the application for release of the connection. Applicant challenged this 2nd part of order of IGRC before this forum.

3. Non applicant, denied applicant's case by filing reply dated 23.02.2017 & 14-03-2017. It is submitted that applicant Shri Bharat Kesharwani purchased this premises from Shri Mahadeo Kisan Dhoke and others as per sale deed dated 28-07-2015. Previously this house no.770 of Premnagar Nagpur was purchased by Shri Kisan P.Dhoke and Shri Mahadeo Dhoke from Shri Kesharao Talewale.

4. Shri Ganesh M.Dhoke is son of Shri Mahadeo K.Dhoke and he took electric supply for residential purpose on 20-08-2006. Likewise Shri Kisan P. Dhoke took electricity supply for residential purpose on 21-01-1972. Amount of Rs.8029 was due and outstanding against Shri Ganesh M.Dhoke vide consumer no.410016641425 and amount of Rs.7468/- was due and outstanding against Shri Kisan P.Dhoke vide consumer no.410011335211. Due to these arrears electricity supply of both the consumer was permanently disconnected in July-2008 & June-2005 respectively.

5. At the time of spot inspection it is pointed out and reveals that in consumer ledger of Shri Ganesh M.Dhoke consumer no.410016641425 instead of plot no.770

due to over side plot no.771 is written, in fact plot no.770 was owned by Shri Indrav Gomaji Kanhere. Tax receipt of Municipal Corporation Nagpur is produced on record. Likewise his relative Shri Shridhar Raut took electric connection in commercial purpose, thus document i.e. no objection certificate and sanctioned plan is also produced on record, in these documents plot no.771 is specifically mentioned. Considering document on record it is clear that plot no.771 is wrongly written on electricity bill of Shri Ganesh M.Dhoke in fact plot no.770 should have been written. Therefore these PD arrears are pertaining to plot no.770 and not on plot no.771.

6. IGRC relied on Regulation 10.5 of MERC's supply code Regulation 2005 and directed the applicant to pay PD arrears Rs.7468/- as per order dated 31-12-2016. If the applicant pays this amount, supply will be given to him as per Rules.

7. Forum heard arguments of both the side and perused record.

8. IGRC already hold that PD dues of old PD consumer no.410011335211 is set aside and not recoverable. Therefore this much part of the order of IGRC is in favour of the applicant.

9. So far as 2nd part of order of IGRC is concerned, IGRC directed the applicant to pay 6 months current bill prior to this disconnection as per Regulation 10.5 of MERC's supply code Regulation 2005 in respect of old PD consumer no.410016641425 as the premises is one and the same.

10. We have carefully perused registered sale deed dated 28-07-2015 executed by Shri Mahadeo K.Dhoke in favour of applicant Shri Bharat Kesharwani regarding house

no.770 and here entire link is established. It is proved that these premises owned by applicant were previously owned by Shri Mahadeo K.Dhoke and others. Non-applicant also produced copy of tax receipt in respect of house no.771 so also produced sanctioned map and other documents on record.

11. Considering these aspects, it is clear that as per the CPL, premises of old PD consumer no.410016641425 and applicant's premises are same. Therefore the dues against old PD consumer no.410016641425 are recoverable from the applicant but applicant is not legal representative of previous owner. Therefore this recovery is limited to 6 months bill prior to disconnection as per Regulation 10.5 of MERC's supply code Regulation 2005.

12. Therefore in our opinion order passed by IGRC is legal and proper and needs no interference. Therefore application deserves to be dismissed.

13. Hence we proceed to pass the following order.

ORDER

Grievance application is dismissed.

Sd/-
(N.V.Bansod)
MEMBER

sd/-
(Mrs.V.N.Parihar)
MEMBER/SECRETARY

sd/-
(Shivajirao S. Patil),
CHAIRMAN