

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

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**Case No. CGRF(NUZ)/64/2014**

Applicant : Shri Pankaj Rajendraprasad  
Upadhyaya, fylfot Hospitality  
Pvt.Ltd., 4<sup>th</sup> floor, Siddhivinayak  
Apartments, Khare Town, Dharampeth,  
Nagpur.

Non-applicant : Nodal Officer,  
The Executive Engineer,  
Congressnagar Division,,  
MSEDCL, NUC,  
NAGPUR.

Quorum Present : 1) Shri Vishnu S. Bute,  
Chairman.  
  
2) Adv. Subhash Jichkar  
Member.  
  
3) Shri B.A. Wasnik,  
Member Secretary.

**ORDER PASSED ON 25.3.2014.**

1. The applicant filed present grievance application before this Forum on 4.3.2014 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. The applicant's case in brief is that applicant is a consumer of non applicant, bearing Consumer No. 410016148877.

The applicant is a Director of M/s. FLYFOT Hospitality Pvt. Ltd. having its registered office at 4<sup>th</sup> floor, Siddhivinayak Apartments, Khare town, Dharampeth Nagpur. He entered into a Leave and Licensee agreement with Shri Sharad Kumar alias Mohan s/o Vishwanath Paranjape in respect of 1460 sq.ft. carpet on first floor of Paranjape Bhavan, Khare Town, Dharampeth Nagpur for running a kid's café (Gaming zone and Cafeteria). The said agreement is valid till 26<sup>th</sup> day of April 2015. The applicant used to pay regular rent to the house owner Shri Sharad Paranjape till his death on 5.9.2012. After his death, there was a family dispute between his legal heirs regarding the ownership of the area occupied by the applicant. Applicant asked the sons of house owner Shri Sharad Paranjape to prove the ownership on the area occupied by the applicant so that he can pay the rent to the actual owner. However, both the sons claimed ownership and demanded rent from the applicant. Hence applicant stopped paying rent till the decision of actual ownership on the said area owned by the applicant.

3. It is further submitted that supply of the applicant has been disconnected by the wife of one of the sons of Shri Sharad Paranjape. Hence applicant approached to non applicant for restoration of electric supply. Officer of the non applicant informed the applicant that the consumer is dead and as the meter is locked, he could not restore the supply. The applicant then approached to I.G.R.C. Learned I.G.R.C. rejected the application of the applicant. Hence he filed present grievance before this Forum for restoration of supply.

4. Non applicant denied applicant's case by filing reply dated 19.3.2014. It is submitted that the supply in respect of Consumer Shri Sharadkumar Dhundiraj Paranjape Consumer No. 410016148877 was utilized by Director, Flyfot Hospitality Pvt. Ltd. Dharampeth Nagpur. There was no supply problem from MSEDCL. Supply was disconnected after the outgoing terminal hence it is Consumer's premises fault. For this, non applicant is not responsible. There seems to be internal dispute between the user and the legal heir of the original consumer. The said legal heirs are not interested in restoring the supply. As such the meter which is in the custody of the legal heir of the original consumer could not be accessed for restoration of supply. Meanwhile, supply was disconnected on 11.2.2014, after issuing legal notice dt. 7.1.2014, for non payment of bill. Even after temporary disconnection payment was not received. Hence consumer was made P.D. As such Grievance application may be dismissed.

4. Forum heard arguments of both the sides and perused the record.

5. Record shows that the original consumer Shri Sharad D. Paranjape who entered into agreement with the applicant, has died long back. Forum has observed that the applicant is not the consumer of non applicant. The meter still stands in the name of the original owner. It is an admitted fact that the electricity supply has not been disconnected by the non applicant initially. The occupier of the premises where the meter is installed disconnected the supply of the applicant after the outgoing terminal for which non applicant is

not responsible. The dispute amongst the legal heirs of the original consumer regarding ownership of the property, or the dispute between the applicant and occupier of the said premises is the civil matter, and does not fall under the jurisdiction of the non applicant.

6. It is to point out by this Forum that for restoration of electric supply, the applicant has to produce No Objection Certificate from the legal heir of the original consumer in absence of which the request for restoration of supply can not be considered.

7. For these reasons, Forum proceeds to pass following order: -

#### ORDER

- 1) Grievance application is dismissed.

Sd/-  
(B.A. Wasnik)  
MEMBER  
SECRETARY

Sd/-  
(Adv. Subhash Jichkar)  
MEMBER

Sd/-  
(Vishnu S. Bute),  
CHAIRMAN