

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

Case No. CGRF(NUZ)/048/2008

Applicant : Shri Rajendra Hirachand Chaware
At V.M. Town,
Sarvodaya Nagar,
Saoner,
Dist. NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
O&M Division- II, NUZ,
Nagpur.

Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

3) Shri S.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 08.10.2008)

This grievance application has been filed on 04.09.2008 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of not providing electric connection to his residence at Saoner by MSEDCL despite submitting application in the prescribed form A1 on 21.04.2007 on the ground that arrears of electricity charges are outstanding against the premises.

Before approaching this Forum, the applicant had filed his complaint on the same subject matter before the Internal Grievance Redressal Cell (in short, the Cell), vide his application dated 25.07.2008 under the said Regulations. The Cell, upon inquiry and hearing, passed its order on 22.08.2008 upholding the action of the non-applicant and directed the applicant to pay the outstanding dues for getting a connection. Being aggrieved by this decision, he has approached this Forum.

The matter was heard on 26.09.2008 and 04.10.2008.

Shri R.H. Chaware applicant himself pleaded the case while the Assistant Engineer Saoner appeared for the non-applicant.

The applicant pleaded that he applied for electric connection in house no. 108 owned by him in layout of 19 houses developed by M/s. Deoghare Developers & Builders. The non-applicant refused to provide electric connection on the ground that an unpaid arrear amount of Rs.26,900/- in respect of old temporary connection taken by M/s. Deoghare Developers & Builders for development of

layout is outstanding. The applicant stressed that he is in no way responsible for payment of the arrears and the non-applicant should recover the amount from the concerned developers only. He requested the Forum to direct the non-applicant to release the electric connection without insisting upon payment of Rs.26,990/-.

The non-applicant has submitted his parawise report on 20.09.2008. In his written as well as oral submissions, the non-applicant said that the layout is developed by M/s. Deoghare Developers & Builders. Previously he had obtained a temporary connection for construction purpose etc. and unpaid arrear amount of of Rs.26,900/- is still outstanding against the premises and that the applicant should pay the amount for getting electric connection.

During hearing, the applicant informed that the said Developers are constructing houses in another layout and he is having a live connection there in the same name. The Forum thereupon directed the non-applicant to investigate into the matter with the help of the applicant and hearing posted on 14.10.2008. On 14.10.2008, during hearing, the non-applicant produced a disconnection notice issued to the M/s. Deoghare Developers & Builders at Narsala (Dighori) where he is having a live connection for payment of the arrear amount of Rs.26,737=25 against connection no. 410016879413. As such, the non-applicant can now recover the amount from another live connection of the same Developers who had accumulated the arrear amount in question in terms of Section 56 (1) of the Electricity Act, 2003.

The Forum, therefore, directs the non-applicant to release a new connection to the applicant immediately without insisting upon

him recovery of the arrear amount in question after completing the requisite formalities.

In view of above, the applicant's grievance application is allowed and it stands disposed off accordingly.

The applicant has also asked for compensation for direct losses suffered due to delay. However, he could not provide a cogent evidence to prove it. His request for awarding compensation for direct loss if any stands rejected.

The non-applicant shall comply the order within one month from date of receipt of the order report compliance to this Forum on or before 15.11.2008.

Sd/-	Sd/-	Sd/-
(S.J. Bhargawa)	(Smt. Gauri Chandrayan)	(S.D. Jahagirdar)
Member-Secretary	MEMBER	CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**

Member-Secretary
Consumer Grievance Redressal Forum,
Maharashtra State Electricity Distribution Co.Ltd.,
Nagpur Urban Zone, NAGPUR