

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

Case No. CGRF(NUZ)/43/2013

Applicant : Shri Satyawan Shivaji Jamgade,
Shilanagar, behind Lekha Apartments,
Gittikhadan, Katol Road,
NAGPUR : 13.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
MSEDCL,
NAGPUR.

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

2) Adv. Subhash Jichkar,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER PASSED ON 14.5.2013.

1. The applicant filed present grievance application before this Forum on 20.3.2013 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 the applicant applied for new electricity connection in October 2012 but new connection is not provided to him. Therefore new electricity connection should be given.

3. Non applicant SPANCO denied applicant's case by filing reply Dt. 10.4.2013. It is submitted that house is in the name of Shri Shuddhodhan S. Jamgade (Brother of the applicant) and one electricity connection is available in that premises. Shri Shuddhodhan Shivaji Jamgade executed a partition deed in the name of the applicant Shri Satyawan and his another brother Shri Devman but partition deed is not in accordance with law. The application may be dismissed.

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

5. Applicant produced partition deed executed by Shri Shuddhodhan S. Jamgade in the name of applicant. Applicant also produced copy of Adhar Card bearing No. 600404195365, Election Card of the said address. Not only this, the applicant also produced copy of separate ration card in which name of the applicant, his wife & children are mentioned. Applicant also produced documents of gas connection to show that he is utilizing gas connection of one Shri Narendra Dhole. Not only this, the applicant had produced 2 important photographs. In

one photograph, kitchen of the applicant alongwith gas cylinder is appearing. In another photograph, 3 separate doors with door curtains of 3 different brothers are appearing and about 3 to 4 two wheelers parked in front of each door is appearing. This document shows that applicant and his 2 another brothers are residing separately and they are **separate users** within the meaning of Electricity Act 2003 and relevant regulations of MERC. Therefore applicant is entitled for separate electricity connection. When three brothers, their family members are partitioned from each other and each brother is residing in separate house along with their respective family, it is but natural that recording of separate electricity consumption for proper payment is necessary and for that purpose, separate electricity connections are required.

8. Hence Forum proceeds to pass following order:-

ORDER

- 1) Grievance application is partly allowed.
- 2) Non applicant is hereby directed to issue demand note to the applicant and applicant shall pay the amount of demand note and shall comply all other requisite formalities in accordance with law and regulations and on such full and final compliance by the applicant non

applicant shall give separate electricity connection to the applicant.

- 3) Non applicant is directed to submit compliance report of above order within 30 days from the date of receipt of this order.

Sd/-
(Smt.K.K.Gharat)
MEMBER
SECRETARY

Sd/-
(Adv.Subhash Jichkar)
MEMBER

Sd/-
(ShriShivajirao S.Patil)
CHAIRMAN