



**CONSUMER GRIEVANCE REDRESSAL FORUM  
M.S.E.D.C.L., PUNE ZONE, PUNE**

**Case No.12/2014**

Date of Grievance : 30.07.14

Date of Order : 22.12.14

In the matter of

Smt.Shreedevi Vasant Kalawar,  
Ragvilas Hsg.Socy.,  
B-8A, Koregaonpark,  
Pune- 411001.

**Complainant**

(Herein after referred to as Consumer)

**Versus**

Executive Engineer,  
M.S.E.D.C.L.,  
Nagarroad Division,  
Pune.

**Respondent**

(Herein after referred to as Licensee)

**Quorum**

**Chair person  
Member Secretary**

**Mr. S.N.Shelke  
Mr. Y. M.Kamble**

**Appearance**

**For Consumer  
For Respondent**

**Smt.Suvarna Ravindra Kalawar  
Shri.G.M.Kadale,Executive  
Engineer, Nagarroad Dn.**

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & E.O.) Regulations 2006. Hereinafter referred to as the Regulations.
- 2) Being aggrieved and dissatisfied by the order dated 17.5.2014 passed by IGRC Rastapeth Urban Circle, Pune thereby denying disconnecting the supply of consumer no.170743554054, the consumer above named filed present grievance on the following amongst other grounds.
- 3) The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Nagar-road Division, Pune vide letter no.EE/CGRF/PZ/Notice/12 of 2014/227 dtd.5.7.2014. Accordingly the

Distribution Licensee MSEDCL hereinafter referred to respondent filed its reply on 17.7.2014.

- 4) We heard both sides at length, gone through the contentions of the consumer and reply of the respondent and the documents placed on record by the parties. On its basis following factual aspects were disclosed.

I) The consumer was having supply bearing Consumer No.170743755815 (Old Cons.No.228136) standing in the name of P.P Gade from 1983 to 2010. It has been P.D. from 2010.

II) Addressed of above consumer as written on electricity bills is as under -

Prbhakar P.Gade  
S.No.56/12,P.No.6,  
Malharnagar Socy.,  
Wadgaonsheri, Pune.

III) The house property bearing S.No.56/12,Plot No.6, was sold by P.P.Gade to Mira Sadananda Kalawar on 26.1.1981. The present consumer is daughter in law of said Mira Kalawar.

IV) As per information supplied by the information officer, MSEDCL vide letter No.Dy.EE/Wadgaonsheri S/dn./2593 dtd.30.12.2013 the connection bearing consumer no.170743554054 was released on 12.1.1983. At the relevant time Nagar-road Dn. & Wadgaonsheri Sub/dn. Were not in existence.

V) Presently the connection vide Cons.No. 170743554054 is standing in the name of Smt.S.B.Sakore, and following address is written in the electric bills issued in the name of Sakore.

Smt.S.B.Sakore,  
S.No.56/12,  
Wadgaonsheri, Pune-14.

- 5) The matter before us is too short. Consumer is seeking disconnection of supply of consumer no.170743554054. According to her the said connection should not have been given to Smt.S.B.Sakore. The MSEDCL has unauthorisly given the said electric supply, therefore it should be disconnected.
- 6) The consumer is representing by Smt.Suvarna Ravindra Ganore. She vehemently urged that the house bearing no.56/12, Plot No.6, purchased by Mira Sadananad Kalawar from P.P.Gade on 26.01.1981 & the present consumer is daughter in law of said Mira Kalawar. The connections vide .170743755815 was in the name of the previous owner Shri.P.P.Gade, from 13.1.1983 till 2010. It has been P.D.since 2010. The connection vide no.170743554054 was issued in the name of Shri,.S.B.Sakore, in the year 2013

however while issuing said connection the respondent did not verify any document. It was given on the basis of fabricated documents made by Smt.Sakore in collusion with Malharnagar Hsg.Scoy., Smt.Sakore did not obtain consent of legal heirs of Mira Kalawar. Smt.Sakore has no any right title for interest in the house no.56/12, Plot No. 6, The respondent did not verify the said legal aspect while issuing said connection. The address mentioned on the electric bills of Smt. Sakore is in sufficient, therefore the said illegal connection be disconnected and necessary action be taken.

- 7) The respondent is represented by Shri.G.M.Kadale, Executive Engineer, Nagar-road Division. He submitted that Smt.S.B.Sakore had made application for supply of electricity. The consumer connection no.170743554054 has been released in favour of Smt.S.B.Sakore on 12.1.1983 as per the norms of giving supply. The respondent has filed CPL of Smt.S.B.Sakore from July-2005 to July-2014. It is very old connection and documents about the giving of said supply are not traceable. He further submitted that Smt.S.B.Sakore is paying bills regularly and there is no any arrears of bills against her. No any order about disconnection of said supply has been received to his office. Therefore the electric supply of the said consumer cannot be disconnected vide regulation No.2.2.2 of the supply code, 2005.
- 8) Regulation No.2.2.2 of MERC (Electricity Supply Code & Other conditions of supply) 2005 reads as under :

*The MSEDCL shall neither be responsible not liable to ascertain the legality or adequacy of any of such certificates/permissions, which might have been submitted by the applicant/consumer alongwith the Application. Further it shall not verify the competency of the Authorities who so ever might have issued such certificates/permissions and shall believe such certificates/permissions to be sufficient & valid, unless proved to be contrary.*

- 9) Therefore the consumer has to establish before competent forum that Smt.S.B.Sakore is an unauthorized occupier and the electric supply should not have to given to her. It is pertinent to mention that presently the applicant is not consumer of the MSEDCL. On the contrary, the consumer namely Smt.S.B.Sakore is paying electricity bill regularly and there is no arrears of bills against her. Consumer has not submitted any order from the competent court about disconnection of supply of the said consumer. The distribution licensee (respondent) has no right to disconnect the supply of the occupier who has been paying bills regularly. Therefore as per regulations 2.2.2 referred to about supply of the said consumer cannot be disconnected at the

instance of the present consumer. We do not filed any error in the decision of I.G.R.C., Rastapeth, Pune. Grievance is liable to be dismissed.

- 10) The said grievance could not be disposed of within stipulated time since the Chairperson of this forum was retired on 28.7.2014 & present Chairperson joined on 8/12/2014.

Hence the order -

**ORDER**

Grievance stands dismissed with no order to cost.

Delivered on :- 22/12/14

Y.M.Kamble  
Member/Secretary  
CGRF:PZ:PUNE

S.N.Shelke  
Chairperson  
CGRF:PZ:PUNE

Note :- The consumer if not satisfied may filed representation against this order before the Hon.'ble Ombudsman within 60 days from the date of this order at the following address.

Office of the Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606/608, Keshav Bldg.,  
Bandra Kurla Complex,  
Bandra(E), Mumbai-51.