

**Before Maharashtra State Electricity Distribution Co. Limited  
Consumer Grievances Redressal Forum, Pune Zone,  
925, Kasabapeth Building, I Ind flr. Pune-11**

Case No. 25/2012

Date: 29/10/2012

**In the matter of  
Shri. S.M.Agarwal,  
289,Nanapeth Pune**

**- Complainant**

**V/S**

**M.S.E.D.C.L. Rastapeth Division**

**- Opponent**

**Quorum**

Chair Person	Shri.S.D.Madake
Member/Secretary,	Shri.B.M.Ivare
Member	Shri.Suryakant Pathak

- 1) Shri. Shantilal Motilal Agarwal (Complainant) son of late Shri.Motilal Budharam Agarwal is submitted A-I application form to MSEDCL for Residential connection at 289 Nana Peth Pune. However MSEDCL (Respondent) opposes to give connection in the said premises, since there was arrears of an amount of Rs.62,470/- of old permanently disconnected connection in same premises. The old P.D. connection was on the name of M.B. Agarwal having consumer No. 170012124841 i.e. on the name of father of complainant.
- 2) The complainant has made grievance in the IGRC RPUC Pune on 28/04/2012. According hearing conducted on 27/06/2012. The IGRC has given order dt.10/07/2012 stating that old P.D. arrears Bill to be issued as per actual final reading of meter and benefit of "Abhay Yojana" scheme to be given to complainant for recovery of old arrears. According MSEDCL has given revised bill of Rs.56,208/- vide O. No. DY.EE/RP/S/Dn/756 dt.14/08/2012.

However complainant is aggrieved on amount of his grievance being not satisfied by the IGRC order and filed his grievance to this forum.

- 3) The complainant is stating that such huge P.D. amount is not possible to him to paid to MSEDCL due to his weaker financial position and his application is to considered sympathetically. He is ready to pay only Rs. 8000/- against this old arrears. He further prayer that order to be given to respondent for issuing of new residential service connection in above said premises.
- 4) MSEDCL vide their reply stated that as there is old P.D. arrears, then connection should be released only after payment of this arrears, as per guidelines issued by various circulars from commercial section MSEDCL . Further representative of MSEDCL contended that complainant was already given the benefit of "Abhay Yojana" scheme and final P.D. bill of Rs.56,208/- is issued to complainant. The connection should be released only after the payment of said arrears.
- 5) We heard both sides. Perused all documents submitted by both.
- 6) During hearing complainant stated that this old connection was made permanently disconnection during 90-91 and there was only two rooms. He further contended that old records prior to Oct-1996 was not available with MSEDCL since at that time I.T. was not in working. He further said that all old bills zerox copies available with him were already handed over to MSEDCL. Such huge P.D. amount to be confirmed and correct bill to be issued.
- 7) The Dy.E.E., O&M S/Dn. Rastapeth, representative of MSEDCL (Respondent) contended that it is fact that old record is not available and as per I.T. record CPL of old P.D. connection bearing Con. No. 170012124841 is available from Oct-1996 and in which principle arrears shown as Rs.55,512.42 and intrest as Rs.6954.95 with total arrears as Rs.62,467.37

He further contended that as per "Abhay Yojana" scheme vide commercial circular No. 163 dt.19/04/2012 & 172 dt.30/06/2012 of MSEDCL, the P.D. arrears bill of Rs.56,207.92 was issued to consumer details as below.

Principle Arrears	Rs, 55,512.42
10% Intrest	Rs. 695.50
	-----
Total Bill	Rs. 56,207.92

- 8) The old arrears is appeared on the P.D. connection of late Shri. M.B.Agarwal who was which father of complainant. Hence as per MERC (Electricity supply code and other condition of supply) Regulation 2005 clause No. 10.5 charge of electricity which remains unpaid by a deceased consumer is liable to the legal heir and in this case complainant is a legal heir. Therefore all dues/arrears are liable to be recovered from complainant.
- 9) The representative of MSEDCL as well as complainant are requested that all the old record prior to Oct-1996 is to be searched . Further if P.D. register available then final bill to be prepared as per final reading of meter and by giving the benefit of "Abhay Yojana" final P.D. bill to be raised to complainant, so that to give natural justice to both side. The financial difficulties of complainant are considered as per the policy of MSEDCL and benefit of Abhay Yojana has been given to him. In view of the observation referred above complaint is disposed of with no order as to cost.

### **ORDER**

Complaint is disposed off no order as to cost.

B.M.Ivare,  
Member/Secretary

Suryakant Pathak  
Member

S.D.Madake  
Chair Person

Date: 29/10/2012

