

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

Case No. CGRF(NUZ)/049/2015

Applicant : Shri Shabbir Ahmad,
User Muneer Ahmad,
H. No. 634, Ansar Nagar,
Mominpura,
Nagpur : 18.

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) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 8.4.2015.

1. The applicant filed present grievance application before this Forum on 2.3.2015 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. Applicant's case in brief is that P.D. Arrears of Rs. 48,188/- in respect of erstwhile P.D. consumer one Shri Shabir Ahmad Mohd. Issa with Consumer No. 410010911200 have wrongly been charged in his bill of January 2015 and therefore he requested to withdraw the same from his bill. Being aggrieved by the order passed by I.G.R.C. he approached to this Forum.

3. Non applicant denied applicants case by filing reply Dt. 17.3.2015. It is submitted that according to the provisions of regulation 10.5 of MERC Supply Code Regulations 2005 – "Provided that except in case of transfer of connection to a legal heir, liability transferred under this regulation shall be restricted to a maximum period of six months of the unpaid charges of electricity supply to such premises". Electricity Supply to Shri Shabir Ahmad Mohd. Issa Consumer No. 410010911200 has been permanently disconnected for non payment of amount of Rs. 48,188/- and therefore as per provisions of regulation 10.5 of MERC Supply Code Regulations 2005, these arrears are added in the bill of the applicant, Consumer No. 410010911188. Grievance application deserves to be dismissed.

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

5. Record shows that Consumer No. 410010911200 (P.D. Connection) & Consumer No. 410010911188 are in one and the same name Shri Shabir Ahmad. Therefore according to regulation 10.5 of Supply Code

Regulations 2005, P.D. arrears of Consumer No. 410010911200 can be recovered and added in the bill of another consumer number of the applicant bearing No. 410010911188.

6. However, P.D. arrears are since April 2013 and meter was not in use. Supply was not available and there was no progressive reading. Therefore in our opinion, only actual P.D. arrears can be recovered and not the fictitious P.D. arrears. Hence following order :-

ORDER

- 1) Grievance application is partly allowed.
- 2) Non applicant is hereby directed to recover P.D. arrears from the applicant which are actual P.D. arrears and not to recover fictitious arrears.
- 3) Compliance should be reported within 30 days from the date of this order.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN