

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

Case No. CGRF(NUZ)/089/2015

Applicant : Shri Kailash C. Agrawal,
Plot No. 201, Medical Chouk,
Dahipura Chouk,
Nagpur.

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

Applicant :- In Person.

Respondent by 1) Shri Rody, Nodal Office.
2) Shri Dahasahastra, SNDL Nagpur.

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

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 24.6.2015.

1. The applicant filed present grievance application before this Forum on 2.5.2015 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer

Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Applicant's case in brief is that P.D. arrears of Rs. 10377/- in respect of erstwhile P.D. consumer B.J. Wankhede with Consumer No. 410012524688 have wrongly been charged in the bill of March 2015. Therefore he requested to revise the bill. Being aggrieved by the order passed by I.G.R.C. he approached to this Forum.

3. Non applicant denied applicant's case by filing reply Dated 18.5.2015. It is submitted that electric supply was given to erstwhile consumer Shri B.J. Wankhede, National Information Consumer No. 410012524688 since 14.2.1987 for commercial purpose. This supply was permanently disconnected in February 2014 for non payment of Rs. 10377.86. This amount is added in the bill of the applicant being subsequent purchaser of the property according to the provisions of regulation 10.5 of MERC Supply Code Regulations. Learned I.G.R.C. revised the bill of P.D. arrears as per order dated 23.4.2015 amounting to Rs. 4037/-, and therefore these arrears which are within the span of 2 years limitation are added. Grievance application deserves to be dismissed.

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

5. It is evident on record that applicant purchased same premises from erstwhile consumer on 10.6.2013. Therefore he is separate purchaser of the property. Premises of the applicant and that of erstwhile P.D. consumer is same as admitted by the applicant and as such as provided in regulation 10.5 of MERC Supply Code Regulations 2005, the applicant who is now the occupant of the said premises is liable to pay unpaid dues of erstwhile consumer limited to a period of 6 months only.

6. Now turn to another aspect of the matter. According to Circular No. 53 of M.S.E.D.C.L. Dt. 7.5.2007, it is laid down as to how such six months liability should be calculated. In that respect the amount equivalent to the total amount of current bill of six months period immediately preceding the month of temporary disconnection of the erstwhile P.D. consumer has to be recovered from new incoming occupant.

7. It is noteworthy that as per the CPL of erstwhile (then) P.D. consumer, his supply appears to be temporarily disconnected in the month of June 2012 and hence the applicant is required to pay amount of current bill of P.D. consumer from December 2011 to May 2012. The applicant's liability comes out to Rs. 4037/-.

8. Learned I.G.R.C. already directed Commercial Manager of SNDL to revise the amount of P.D. dues recoverable from the applicant limited to Rs. 4037/- and accordingly give credit to him of balance amount along with DPC in his ensuing bill.

9. In our opinion, order passed by Learned I.G.R.C. is legal and proper and needs no interference. Grievance application deserves to be dismissed. Hence following order : -

ORDER

1) Grievance application is dismissed.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN