

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

Case No. CGRF(NUZ)/016/2009

Applicant : Shri Idu Ali Mohar Ali
At Dobinagar, Zopadpatti,
Ward No. 51,
NAGPUR.

Non-Applicant : The Nodal Officer-
Executive Engineer,
Gandhibag Division,
Nagpur representing the MSEDCL.

Quorum Present : 1) Shri D.K. Chaudhari
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 08.05.2009)

This grievance application has been filed on 16.02.2009 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect to release of new electricity connection to his house.

Before approaching this Forum, the applicant had filed his complaint on 02.12.2008 before the Internal Grievance Redressal Unit as per Regulation 6.2 of the said Regulations raising therein the present grievance.

The applicant had not received any order from IGRC within the time stipulated as per MERC Regulations, 2006. The applicant has filed his grievance application on 16.02.2009 to this Forum.

The matter was heard on 16.03.2009.

The contention of the applicant is that he had purchased the house no. 1343 in ward no. 52 at Nagpur year 2000 from 1) Shri A. Kadir A. Haqui Khalil Ahemd 2) Shri A. Begum Hafiz Khalil Ahemd 3) Ahemadi Begum Hafiz Khalil 4) Arvatari Begum Hafiz Khalil at Nagpur. The applicant had applied for new connection in the house no. 1343 in ward no. 52 at Nagpur. He has strongly contended that to release the supply immediately. Outstanding arrears in my premises has not informed to me by seller.

The non-applicant has submitted his parawise report on dated 04.03.2009, the applicant had applied for releasing new electric connection to his premises house no. 1343 in ward no. 52 at Nagpur. Spot inspected and found that in the above premises there were three electric connections those were permanently disconnected having outstanding arrears in the name of

- 1) Shri Hafiz Ahmed Rafiqu Ahmed Hazi Gulam Rasool connection no. 410013034269/1 of Rs. 24,168.70/- date of P.D. 26.06.2001.

- 2) Shri Hafiz Ahmed Rafiqu Ahmed Hazi Gulam Rasool connection no. 410013037497/6 of Rs. 22,973.02/- dated of P.D. 03.01.2002.
- 3) Shri Hafiz Abdul R.H.G. Rasool consumer no. 410013050167 Rs. 43,698.94/- dated of P.D. 22.06.2001.

The non-applicant say that new connection to the applicant cannot be released because of outstanding arrears against the above said premises, if the applicant will paid the arrears outstanding against him the connection will be released after observing all formalities as per the Company's Rules and Regulations.

Regulation 10.5 of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 here-in-after referred-to-as the Supply Code Regulations say

“Any charge for electricity or any sum other than a charge for electricity due to the Distribution Licensee which remains unpaid by a deceased consumer or the erstwhile owner / occupier of any premises, as a case may be, shall be a charge on the premises transmitted to the legal representatives / successors-in-law or transferred to the new owner / occupier of the premises, as the case may be, and the same shall be recoverable by the Distribution Licensee as due from such legal representatives or successors-in-law or new owner / occupier of the premises, as the case may be:”

“Provided that, except in the case of transfer of connection to a legal heir, the liabilities transferred under this Regulation 10.5 shall be restricted to a maximum period of six months of the unpaid charges for electricity supplied to such premises.”

We have carefully gone through all the documents produced on record and all submissions, written and oral, made before us by both the parties.

In the present case, the applicant has voluntarily accepted liability to pay the P.D. arrear amounts outstanding his premises.

Hence the fact and circumstances of the case, the Forum come to the conclusion that the applicant will pay arrears as per MERC Electricity Supply Code & Other Conditions of Supply, Regulations 2005 the arrear of maximum period of six month of the unpaid charges of each connection on his premises.

In the result, the applicant's grievance application stands disposed of accordingly. Due to some technical problem order is passed on 08.05.2009.

The non-applicant shall carryout this order and report compliance on or before 08.06.2009.

(D.K. Chaudhari)
Member-Secretary

(Smt. Gauri Chandrayan)
MEMBER

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**