

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

Case No. CGRF(NUZ)/099/2010

Applicant : Shri. Kashinath F. Shende
Through Shri. Bhojraj D. Sukhadeve
At House No. 67, Ward No. 59,
Math Mohalla, Opp. Nirmal Shopping,
Bezanbag,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Civil Lines Division,
Nagpur.

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

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Executive Engineer &
Member Secretary,

INTERIM ORDER

(Passed on 03.01.2011)

The applicant Shri. Bhojraj D. Sukhdeve, Nagpur filed present grievance application on behalf of the consumer Shri. Kashinath Shende on dated 10.12.2010 under Regulation 8.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

1. According to the applicant, he is residing in house no. 67 in front of Nirmal Shopping, Indora, Nagpur sine last 14 years. This house was owned by Shri. Kashinath Shende who gifted this to Shri. Vasant Borkar. Deceased Shri. Vasant Borkar was maternal uncle (presumed) of the applicant. As per applicant Shri. Vasant Borkar has gifted the house to him. The non-applicant has disconnected the electric supply of the applicant without prior notice or intimation. Therefore the applicant has filed the grievance application in the Forum for interim relief.
2. The matter was heard in the Forum on dated 13.12.2010. Both the parties were present. Shri S.R. Gandhewar, Executive Engineer, Civil Lines Division, was present on behalf of non-applicant. Shri Sunil Jacob, has represented the applicant.
3. The non-applicant has produced several important documents on record during hearing regarding ownership of the electric connection and disputed house. Therefore Forum has raised important query about the applicant's status of being a consumer of the non-applicant and how he has locus-standi to submit the present grievance application.

4. Mr. Jacob representative of Shri. Bhojraj Sukhdeve has requested to grant time to produce the document in order to proof the applicant as a user of electricity of the said connection of that premises. Therefore matter was adjourned on several dates on the same issue and finally heard on 01.01.2011.
5. On 01.01.2011 the applicant and his representative both were absent. Heard arguments from the non-applicant and persuaded by observing the record. These documents proved that the applicant is not a consumer of the non-applicant. It is pertinent to note that the applicant did not produce a single document to show his locus-standi to file this grievance application. The applicant did not produce any documents on record to show that he is a consumer of the non-applicant.
6. On the contrary the non-applicant has produced several documents on record and these documents show that the ownership of disputed house was transferred from Shri Kashinath Shende to Shri Borkar and finally to Shri Bala Vithoba Meshram, as per registered sale-deed on dated 13.07.2010. Shri. Bala Vithoba Meshram has changed name in the record of non-applicant. It is the contention of the non-applicant that the consumer Shri. Bala Vithoba Meshram filed an application before the non-applicant and requested for disconnection therefore disconnection, was carried out.

7. Considering these facts, in the opinion of the Forum at this moment, it is not necessary to go into entire merits of the case as initially the applicant has failed to establish that he is a legal consumer of the non-applicant. Record shows that the applicant has absolutely no locus-standi to submit this grievance application.
8. The applicant Shri Bhojraj D. Sukhdeve is not a legal consumer or authorized user of the consumer's electric connection. Therefore he has no locus-standi to submit this grievance application. Therefore it deserves to be dismissed without touching to other merits of the matter. Accordingly Forum proceed to pass the following order.

ORDER

The grievance applicant is hereby dismissed.

Sd/-	Sd/-	Sd/-
(Smt K.K.Gharat)	(Smt.Gauri Chandrayan)	(ShriShivajirao S.Patil)
Member-Secretary	MEMBER	CHAIRMAN
CONSUMER GRIEVANCE REDRESSAL FORUM		
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's		
NAGPUR URBAN ZONE, NAGPUR.		