

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

Case No. CGRF(NUZ)/025/2011

Applicant : Shri Rupchand Jogeshwar Nagrare,
At Laskaribag, Bhosle Wadi,
Plot No. 3, Behind Shinde Flour Mill,
NAGPUR – 440 017.

Non-applicant : MSEDCL represented by
The Nodal Officer-
(Distribution Franchisee,
Nagpur Urban Zone,
Nagpur.

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

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER (Passed on 11.07.2011)

The applicant Sau. Alka Rupchand Nagrare, presented this grievance application on 08.06.2011 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 hereinafter referred to as the said Regulation.

The applicant's case in brief is that the applicant is residing in the house of her father since last 12 years. There is meter in the name of Rupchand Nagarare, in that house. That meter was shifted on 12.01.2011. Previously second wife of brother of the applicant named Smt. Ratnmala Milind Sankale, Samyak Sankale, their tenant Shri Chavan, Sainy, Raju, vegetables seller were using this meter. There were disputes between the applicant and these persons. Since 2009, the applicant attempted for shifting of the meter but above said persons opposed quarreled, threatened, beat to the applicant. During this period above said persons utilized excess electric energy and therefore bill was increase. After shifting of the meter that arrear amount was applied in the bill of new meter. Above said persons are threatening. The applicant complaint to MSEDCL that her bill should be afresh regarding the energy since the date of shifting of the meter but no action is taken. Therefore the applicant filed present application to revised her bill.

The non-applicant denied the claim of the applicant by filing reply. It is submitted that since 20.08.1999, there is residential connection in the name of Rupchand Nagarare CPL shows that Rupchand Nagarare did not pay electric bill and therefore there were arrears. Till October 2010 amount of Rs.8,736=41 paisa was due and outstanding but amount of Rs.4500/- was paid lastly on 11.10.2010. Since then there is no payment till August 2010. Amount of Rs.9949=49 paisa is due and outstanding. The applicant submitted that meter is shifted since 13.01.2011, she also admitted that there

is family dispute between the family members. Application is false and deserves to be dismissed.

Forum heard arguments from both the side and perused the record.

In the application the applicant Alka R. Nagarare admitted that house is owned by Shri Shankarrao Nagarare. It is also admitted that the meter was in the name of her husband Rupchand Nagarare. She also admitted that there is dispute and quarrel between herself and second wife of her brother. On careful perusal of the record it appears that house is original property of Shankarao Sonkale, who has daughter i.e. Sau. Alka R. Nagarare, so also a Son being legal heirs. Admittedly second wife of brother of the applicant kept some tenants in the house. Tenants and second wife of brother of the applicant were using the electricity from the same meter along with the applicant. Therefore it is clear that there is family property dispute amongst the family member. In fact the applicant should have approached Civil Court of Civil Jurisdiction to estimate her legal rights and such property disputes are not tenable before this Forum.

Record shows that even the house is not exclusively owned by Rupchand Nagarare i.e. husband of the applicant or applicant but even then meter is given in the name of Rupchand Nagarare as per request of the applicant. If really anybody was un-authorizedly using electric supply since 2009, applicant should have filed an application for theft of electricity since 2009 but she failed to do so. Therefore it is clear that second wife of brother of the applicant is also

claiming share in the house and claiming entitlement for use of electricity. As the meter is admittedly in name of Rupchand Nagarare, he has to pay all arrears.

Therefore we find no force in present grievance application and it deserves to be demised. Hence Forum proceeds to pass the following order.

ORDER

The grievance application is dismissed.

Sd/- (Smt.K.K.Gharat)	Sd/- (Adv.Smt.GauriChandrayan)	Sd/- (ShriShivajirao S.Patil)
MEMBER	MEMBER	CHAIRMAN
SECRETARY		

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