

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

Case No. CGRF(NUZ)/041/2007

Applicant : Moh. Mahmood Moh. Kasam Bhati
Itwari Railway Station Road,
Bastarwari, Near Bharatiya Akhada
Nagpur.

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

Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

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

3) Shri S.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 10.08.2007)

The present grievance application has been filed on
18.07.2007 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 of non-provision of new electricity connection to the premises occupied by him.

Before approaching this Forum, the applicant had filed his complaint on the same subject-matter of the present grievance on 12.06.2007 before the Internal Grievance Redressal Cell (in short, the cell). The Cell, upon enquiry and hearing, informed the applicant by its letter, being letter no. 4499 dated 16.07.2007, that the applicant should produce latest rent receipts of the premises occupied by him as a tenant and also No Objection Certificate from the house owner for the purpose of sanctioning a new connection.

The applicant is aggrieved by this decision of the Cell and hence, the present grievance application.

The matter was heard on 09.08.2007.

The applicant's contention is that he had applied to the non-applicant on 20.04.2007 for providing a new electricity connection to the premises occupied by him as a tenant. He has also submitted rent receipts pertaining to the years 1978, 1979 and 1980 to prove that he is the lawful tenant of his house owner. However, new connection has not been provided to him. He added that since he is the tenant of his house owner one Shri Chimthanwala, it was not necessary to produce No Objection Certificate of the house owner. He prayed that new electricity connection be provided to him immediately.

The non-applicant has submitted his parawise report dated 03.08.2007 which is on record. He has submitted in his report as well as

in his oral submissions that the applicant did make application on 12.04.2007 for releasing a new electric connection. However, the applicant has not proved that he is the lawful tenant of his house owner Shri Khijarbhai Chimthanwala. Copies of property tax payment receipts produced by him indicate name of Shri Khijarbhai Chimthanwala as the house property owner and they do not indicate anywhere that the applicant is possessing any portion of the house. The applicant has produced rent receipts pertaining to the years 1978 & 1979. However, name of one Shri Moh. Mahmood Moh. Halimabi is shown as a tenant and these receipts no where indicates that the applicant's name as a tenant. Latest rent receipts were also not produced by the applicant. Hence, for want of complete information as regards the occupational status of the applicant new connection could not be provided to him. He requested that unless the applicant provides complete information including the essential legal documents, his request for a new connection cannot be granted.

The limited point to be decided is whether the applicant is lawful occupier of the premises. The applicant claims that is the lawful tenant of his house owner Shri Khirjbhai Chimthanwala. However, he has not been able to prove relationship of tenant and land-lord between him and his house owner Shri Chimthanwala. The rent receipts produced on record by the applicant are pertaining to the years 1978, 1979 and 1980. Latest rent receipts are not produced on record. Moreover, copies of rent receipts produced no where indicates the name of the applicant as a tenant. These rent receipts clearly show name of one Moh. Mahmood Moh. Halimabi as a tenant of the house owner Shri Khirjbhai Chimthanwala. The applicant has not produced any

cogent, convincing and corroborating evidence to prove that he is the lawful occupant of the premises. His mere statement that he is the tenant of Shri Chimthanwala is of no use.

The Nagpur Municipal Corporation property tax receipts produced on record also nowhere indicate name of the present applicant as the possession holder. These receipts indicate name of house owner Shri Khirajbhai Chimthanwala.

In view of above position we hold that the non-applicant has rightly refused to sanction electricity connection to the applicant.

The applicant has to produce either No Objection Certificate from the house owner or prove his occupation of the premises as a lawful tenant before a new connection is sanctioned to him. This has not been done by him so far.

In the result, the grievance application stands rejected.

Sd/-	Sd/-	Sd/-
(S.J. Bhargawa)	(Smt. Gauri Chandrayan)	(S.D. Jahagirdar)
Member-Secretary	MEMBER	CHAIRMAN

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