

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

Case No. CGRF(NUZ)/37/2012

Applicant : Shri Jayant V. Karkhanis
At Plot No. 7, Kalyani Apartments,
Khare Town,
NAGPUR – 10.

Non-applicant : Nodal Officer,
The Executive Engineer,
(O&M) Division No. II,
Nagpur Rural Circle, MSEDCL,
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 8.5.2012.

The applicant filed present grievance application before this Forum on 22.3.2012 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

1. The applicant's case in brief is that the applicant filed an application for electricity connection on 10.10.2011, but connection is not given.

2. Applicant filed grievance application to I.G.R.C. on 24.11.2011, but it is not decided. Therefore, the applicant filed present grievance application that new connection should be given to him and he is ready to deposit necessary charges.

3. Non-applicant denied the case of the applicant by filing reply Dt. 25.4.2012. It is submitted that the applicant Shri Jayant Vasant Karkhanis has applied 3 phase electric pump connection at Survey Nu.99 at Village Dorli. On verifying the documents, it is found that there was one Agricultural Pump Connection in the same survey number bearing A/c. No. 410010817025 in the name of Shri Shankar Bakaram Mahale. Above said account made permanently disconnected for outstanding amount of Rs. 20,609/- as per Company's rules and regulations. New Service Connection can not be issued in arrears premises. Hence, Firm Quotation of the same is not issued. While personal visit of Shri Karkhanis, the matter was discussed with him and requested to pay the arrears of bill of the same was handed over to him. Considering all these facts and circumstances, the matter may be disposed off.

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

5. According to regulation 10.5 of MERC (electricity supply code and other conditions of supply) Regulations 2005, any charges for electricity for any amount other than charges or electricity due to the distribution licensee which remain unpaid by the deceased consumer or erstwhile owner/ occupier of any premises as the case may be, shall be charged on the premises transmitted to the legal representative/successor-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 representative or successor-in-law or new owner / occupier of the premises as the case may be. However, there is specific “proviso” to above cited provisions and it is mentioned in the proviso that “Provided that except in case of transfer of connection to legal heir, the liability transferred under this Regulation 10.5 shall be restricted to maximum period of six months of the unpaid charges for electricity supplied to such premises”. It is an admitted fact that the applicant is not legal heir of previous owner named Shri Shankar B. Mahale, but applicant is successor-in-law/ new owner/occupier of the premises and therefore previous liability shall be restricted to maximum period of six months of unpaid charges for electricity supplied to such premises. Hence Forum Proceeds to pass the following order :-

ORDER

- 1) Grievance application is partly allowed.
- 2) Non-applicant is hereby directed to restrict liability transferred to the applicant under Regulations 10.5 of MERC (Electricity Supply Code and other conditions of supply) Regulations 2005 to the applicant restricted to a maximum period of six months of the unpaid charges for electricity supplied to such premises.
- 3) M.S.E.D.C.L. shall calculate the liability transferred under said provisions to the applicant and it shall be restricted to maximum period of six months of unpaid charges of electricity supplied to such premises and calculate necessary bill.
- 4) On receipt of such bill, the applicant shall deposit such restricted amount of liability calculated by M.S.E.D.C.L. and shall complete all necessary formalities to obtain new connection.
- 5) On compliance by the applicant in the directed manner, M.S.E.D.C.L. shall give new service connection to the applicant in the said premises.

6) Non-applicant to comply the order within 30 days from the date of this order.

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

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