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

Case No. CGRF(NUZ)/096/2010

Applicant : Shri G.D. Lata

Through Shridhar N. Salwe, At Gajraj Complex F-7, Panjara, Koradi Road,

NAGPUR.

Non-applicant : MSEDCL represented by

the Nodal Officer-Executive Engineer,

MSEDCL O&M Division-II,

Nagpur.

Quorum Present : 1) Shri Shivajirao S. Patil

Chairman,

Consumer Grievance Redressal

Forum,

Nagpur Urban Zone,

Nagpur.

2) Smt. Gouri Chandrayan,

Member,

Consumer Grievance Redressal

Forum.

Nagpur Urban Zone,

Nagpur.

3) Smt. Kavita K. Gharat Executive Engineer &

Member Secretary,

Consumer Grievance Redressal Forum, Nagpur Urban Zone,

Nagpur.

Interim ORDER (Passed on 08.12.2010)

The applicant Shri Govind Dawrkaprasad Lata through his tenant / representative Shri Shridhar N. Salve

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residence of Gajraj Complex F-7, Panjra, Koradi Road, Nagpur file his grievance application on 06.12.2010 for Interim relief under clause 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.

According to the applicant meter is installed in his residential flat prior to 4 - 5 months, his consumer no. is 413840583051. Up till now he did not receive any bill. He deposited amount of Rs.3500/- on 05.10.2010. The non-applicant had disconnected his electricity supply suddenly without any intimation on 04.12.2010. Therefore he filed present interim application to restore his connection.

Notices of hearing were issued to both the parties on 06.12.2010 and matter was fixed for hearing. Representative of the applicant named Shri Shridhar N. Salwe has produced agreement of allotment of the flat on rent. In this agreement it is specifically mentioned that it is the responsibilities of the tenant to pay electricity bill and he is In-charge of the meter, he should look after entire correspondence regarding the meter. This documents is executed on non-judicial stamp of Rs.50/-. Considering this legal documents, the forum hold that he is the representative of applicant and has right to appear before the Forum.

Forum heard the arguments of Shri Shridhar Salwe, representative of the applicant. On behalf of the Nodal officer Shri S.N. Vitankar, A.E. Khaparkheda argued the matter.

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It is un-disputed fact that supply of the applicant is disconnected by the non-applicant since 04.12.2010. It is also un-disputed fact that prior to disconnection non-applicant did not issue statutory notice of 15 days in writing, according to section 56 (1) of Electricity Act, 2003 to applicant.

At this stage it is not necessary for the Forum to go into entire merits of the matter but Forum has simply to examine whether there is a prima-facie case infavour of the applicant. As already pointed out, disconnection is without statutory notice. Therefore prima-facie it is necessary in the interest of the justice to restore the electricity supply of the applicant forthwith. Therefore we proceed to pass the following order.

ORDER

The non-applicant is here by directed to restore the electrical supply of the applicant forthwith.

Interim application is disposed off.

Sd/- Sd/- Sd/(SmtK.K.Gharat) (Smt.Gauri Chandrayan) (Shri Shivajirao S.Patil)
Member-Secretary MEMBER CHAIRMAN
CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION
CO LTD's

NAGPUR URBAN ZONE, NAGPUR.

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