

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

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**Case No. CGRF(NUZ)/092/2010**

Applicant : Smt. Chandrakala G. Bante  
9-B, Rohit Apartment,  
Chhatrapatinagar,  
NAGPUR.

Non-applicant : MSEDCL represented by  
the Nodal Officer-  
Executive Engineer,  
Congressnagar 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,

**ORDER (Passed on 14.01.2011)**

The applicant, Smt. Chandrkala Jivan Bante, filed present grievance application on dated 20.11.2010 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.

1. The applicant's say in brief is that, she has her office at Rohit Apartment, Chhatrapatinagar, Nagpur. She has applied for electric connection. But her application is rejected. She has purchased office as per registered sale-deed, but even then connection is not provided to her. Therefore she has filed application to IGRC, but it was dismissed. Hence, she filed present application to the Forum on dated 20.11.2010 with a request of issuance of direction to the non-applicant to give connection to the applicant.
  
2. The non-applicant denied the case of the applicant by filing detailed written statement on dated 03.12.2010. It is submitted that entire building Rohit Apartment has been developed by M/s. Pratibha Construction. The owner of Pratibha Construction is Shri Prabhakar Shaymrao Bhadke. He has taken electric meter on 17.07.1998 for residential purpose. After development of the land in multistoried building, it appears that the builder has transferred shop blocks to interested person. Smt. Sunita Rajkumar Humne has purchase shop no. 9-B, by registered sale-deed dtd.21.10.1997. Afterwards the applicant, Smt. Chandrakala Bante has purchased the said premises on 03.02.2005.
  
3. Shri Prabhakar Bhadke, has been supplied the electric supply to shop blocks situated in Rohit Apartment from his residential connection. In the inspection of Flying

Squad of MSEDCL on 01.09.2008, it is noticed that Shri. Prabhakar Bhadke was committed theft of energy, u/s 135 of E.A. 2003. Therefore crime no. 4520 dated 12.09.2008 was registered. Specifically criminal case no. 163/2009 was decided by Court of Session, Nagpur and as per Judgment dated 09.11.2010, Shri. Bhadke, was convicted till the rising of the Court and imposed a fine of Rs. 20,000/-.

4. The applicant's premises was one the beneficiary of such illegal supply of electric energy. Also the applicant is transferee of the property and the same premises is in arrears. Therefore she is liable to pay outstanding liability of Rs.72,462/- premises is in arrears. Thereby non-applicant has requested to reject the matter.
5. The matter was heard in the forum on dated 09.12.2010. Both the parties were present. On behalf of the non-applicant, Shri. B. Khandait, Executive Engineer, Congress Nagar Division, was present.

The applicant's representative, Shri Jeevan Bante has pleaded that although the applicant is owner of the shop, but she is not liable for the payment of arrears in the name of builder. He has requested to the Forum to direct the non-applicant to give new electric connection without claiming the arrears from the applicant.

6. The non-applicant while presenting his side clarified that, the arrears are, due to the illegal supply provided

by the builder to 9 no. of beneficiaries in the apartment and the applicant is one of the beneficiary. Therefore the non-applicant has requested to the Forum, if applicant pays her share of arrears, the process of new connection will be completed by observing rules and regulation.

The applicant has shown his acceptance for the settlement. Therefore Forum has directed to both the parties to submit a joint pursis.

7. The applicant and non-applicant filed joint pursis on dated 09.12.2010 to the Forum. It stated that the applicant is ready to pay share of her liability of Rs.10,918/-. After receipt of liability amount, new service connection will be given to the applicant, after completion of all other paper formalities as per MSEDCL rules & regulation. This pursis is signed by both the parties. Therefore in forum's opinion, the grievance of the applicant is fully resolved. In view of these circumstances Forum pass the following order.

### **ORDER**

The applicant's grievance application is allowed.

1. As per joint pursis submitted in the Forum, the applicant Smt. Chandrkala Jivan Bante shall deposit her share of liability amount of Rs.10918/- in the office of non-applicant.

2. After depositing the said amount by the applicant, the non-applicant shall provide connection to the applicant on completion of other formalities while observing MERC SOP & Supply code regulations.
3. The grievance application is disposed of accordingly.

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