

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

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**Case No. CGRF(NUZ)/75/2012**

Applicant : Shri Uddhav Haribhau Khode,  
At Gondegaon, Tq. Narkhed,  
C/o. Plot No. 120, New Dighori Naka,  
Motilal Nagar,  
KATOL.

Non-applicant : Nodal Officer,  
The Executive Engineer,  
(O&M) Division,  
M.S.E.D.C.L. KATOL.

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

2) Adv. Smt. Gouri Chandrayan,  
Member,

3) Smt. Kavita K. Gharat  
Member Secretary.

**ORDER PASSED ON 17.9.2012.**

The applicant filed present grievance application before this Forum on 18.7.2012 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 purchased Bhumapan No. 126 situated at Village Gondegaon admeasuring 1 hector 1 R, from legal heirs of previous owner named 1) Sau. Nanubai M. Bhakre and 2) Bebibai Shrawan Tembhekar as per Registered Sale Deed Dt. 24.1.2008 having well therein. The

applicant filed an application for new service connection on Dt. 31.3.2012 along with necessary documents. There was arrears of Rs. 32243.72 against previous consumers named Shri Santosh S. Kohle and therefore there was permanent disconnection of supply on Dt. 30.6.2010. The applicant filed the application to I.G.R.C. in Annexure 'X' on 11.4.2012 but connection is not given to him. It is therefore prayed that according to regulation 10.5 of MERC (Electricity Supply Code & Other Conditions of Supply) Regulations 2005 that connection should be given to him and compensation of Rs. 10000/- should be given.

3. Non applicant denied applicants case by filing reply Dt. 8.8.2012. It is submitted that the applicant filed an application for new service connection on 31.3.2012, but on this field there was agriculture pump of previous owner Shri Santosh S. Kohle having Consumer No. 427760263030. As the bill was in arrears and therefore there was permanent disconnection on 30.6.2010. There was abhay Yojana for agriculture pump sets to the effect that if the principal amount of arrears of Rs. 32244/- is paid, an amount of interest of Rs. 35013/- can be waived off. As per rules of MSEDCL, if there are arrears on the property, unless and until arrears are paid new connection can not be given. While purchasing the field, it was necessary for the applicant to see if there are arrears on the property.

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

5. According to Proviso of regulation 10.5 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations

2005, it is specifically mentioned that “Provided that except in the case of transfer of connection of legal heir, the liability transferred under this regulation 10.5 shall be restricted to a maximum period of six months to the unpaid charges for electricity supplied to such premises.

6. In this case, it is an admitted fact that applicant is not legal heir or legal representative of previous owner but he purchased the property from the previous owner and therefore he is a new owner / occupier and hence as per this proviso, liability transferred under regulation 10.5 shall be restricted to maximum period of six months for the unpaid charges for electricity supplied to said premises. Therefore whatever amount of arrears is due and outstanding against this premises, these arrears shall be restricted to a maximum period of six months of the unpaid charges for electricity supplied to such premises. Therefore on payment of six months charges by the applicant he is entitled to new service connection. Hence the following order :-

ORDER

- 1) The Grievance application is partly allowed.
- 2) The applicant is hereby directed to pay arrears of electricity supplied to this premises for a period of six months only, according to proviso of regulation 10.5 of MERC (Electricity Supply Code & Other Conditions of Supply) Regulations 2005.

- 3) On such payment deposited by the applicant and on complying other formalities as per rules and regulations, non applicant shall issue new service connection to the applicant.
- 4) Non applicant is hereby directed 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		