

**Before Maharashtra State Electricity Board's
Consumer Grievance Redressal Forum,
Nagpur Urban Zone, Nagpur.**

Case No. CGRF (NUZ)/009/2005

Applicant : 1) Shri Ramesh Sangole
2) -"- Bhuvneshwar Oza
3) Ku. Maya Khobragade,
House No. 348, Old Buddha
Vihar, Dr. Ambedkar Chowk,
Ward No. 29, Shantinagar,
NAGPUR.

Non-Applicant : Executive Engineer,
Gandhibag Division,
(NUZ), MSEB., Nagpur.

Quorum Present : 1) Shri S.D. Jahagirdar, IAS (Retd)
Chairman,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.
2) Smt. Gouri Chandrayan,
Member, Consumer Grievance
Redressal Forum,
Nagpur Urban Zone, Nagpur.

ORDER (Passed on 31.03.2005)

The present grievance application in the prescribed Schedule "A" is filed before this Forum by the applicants on 07.03.2005 under Regulation No. 6.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003 hereinafter referred-to-as the said Regulations.

The three applicants have a common grievance that separate electricity sub-meters may be installed on the outer walls of their respective tenaments which are in their use and occupation as tenants in the house number 348, Old Buddha Vihar, Dr. Ambedkar Chowk, Ward No. 29, Shantinagar, Nagpur and that their respective electricity sub-meters may be tested for accuracy since they are receiving excessive bills. The three applicants are represented by one Shri Haridas Narayandas Ramteke. A declaration to that effect is already signed by the applicants in their grievance application in schedule "A".

The matter was heard by us on 18.03.2005 when both the parties were present. Both of them were heard.

After receipt of the grievance application, it was sent to the non-applicant for submitting to this Forum his parawise remarks on the applicants' application as per Regulation No. 6.7 & 6.8 of the said Regulations. Accordingly, the non-applicant furnished his parawise remarks to this Forum on 23.03.2005. A copy thereof was given to the applicants' nominated representative Shri Haridas Remteke on 23.03.2005 and he was given opportunity to offer his say on this parawise report also.

The contention of the applicants' nominated representative is that the applicants are the tenants in the house bearing Nagpur Municipal Corporation House number 348, Old Buddha Vihar, Dr. Ambedkar Chowk, Ward No. 29, Shantinagar, Nagpur since long past and they have been inducted as tenants by the owner one Smt. Anusaibai Borkar.

They are residing in the tenanted rooms as tenants since long. They are also paying their respective rent regularly to the owner. The electricity sub-meters from which electrical supply is taken to the tenements of the applicants which are rented premises are installed in a room where the land lady Smt. Anusaibai Borkar used to reside. This room is a part of house number 348. There are separate sub-meters installed for various tenants including the applicants in the said room and they are in the name of the owner Smt. Anusaibai Borkar. The room where the sub-meters are installed is locked now-a days and hence only average electricity bills are given to the applicants in respect of their sub-meters. Meter readers of MSEB were unable to take the meter readings because the room was locked. The applicants' representative has further stated that the applicants applied to the Assistant Engineer, Sub-Division, Shantinagar, Nagpur on 21.04.2004 requesting that the electrical meters installed in the room which is locked from out side may be shifted and installed on the outer walls of their respective rented tenements. However, no remedy was provided by the concerned Engineer. The applicants have endorsed copies of their applications to the Chief Engineer, NUZ, MSEB, Nagpur and the non-applicant also. However, the Chief Engineer and also the non-applicant have not provided any remedy to the applicants. The applicants had also made a complaint dated 19.04.2004 against one Shri Bhalerao Asstt. Engineer, MSEB Binaki Sub-Division Nagpur. The nominated representative Shri Ramteke also produced a copy

of the Order passed on 12.07.2004 by the Judge, Small Cause Court, Nagpur by which the learned Judge has rejected the application filed by one Smt. Tarabai Patharkar who is the only daughter of the land lady Smt. Anusaibai Borkar under section 29 of the Maharashtra Rent Control Act, 1999. The plaintiff Smt. Tarabai Patharkar had prayed for allowing her to disconnect the electricity supply to the rented premises of the defendant Shri Bhuvaneshwar Oza who is one of the present applicants. It is prayed by the applicants' representative before us that the sub-meters meant for the applicants may be shifted from the room and installed on the outer walls of their respective tenements.

The non-applicant has furnished a report containing parawise remarks on the applicants' application. He has mentioned in this parawise report that the applicants are the tenants of one Smt. Anusaibai Borkar and the tapping meters meant for the three applicant tenants are already installed in one room owned & occupied by the landlady. The non-applicant has no objection to shift these meters and install them on the outer walls of the respective tenements of the applicants provided that the applicants show their willingness to incur expenditure on providing an iron angle, service wire, earthing of wires, kitkat etc. The electricity sub-meters of the three applicants were changed on 19.04.2004. However, because the room in which these sub-meters are installed was locked from outside, the applicants were being served with the electricity bills on average basis. According to the non-applicant, the applicants

will have to pay the due differential amount of electricity charges. The meter reader has already recorded the meter readings of the three sub-meters on 22.03.2005 when he found that the room was open. The net amount payable by the three applicants till date is now worked out and they will have to pay this differential amount i.e. actual as per meter readings minus the amounts of provisional bills. The applicants' representative has shown willingness before us to pay this differential amount and also for incurring expenditure for shifting and installing the respective sub-meters of the applicants on the outer walls of the applicants' respective tenaments as proposed by the non-applicant. As regards the applicants' complaint that they are receiving excessive amounts of electricity bills, the non-applicant stated that their sub-meters shall be tested for accuracy.

In view of above, we pass the following order.

- 1) The applicants shall incur expenditure for the proposed shifting of their respective sub-meters as proposed by the non-applicant. On completing the required formalities, the non-applicant shall shift and install the electricity meters on the outer walls of the respective tenaments or rooms of the applicants.
- 2) The applicants shall also pay the differential amount of electricity bills to the non-applicant. The

non-applicant shall consider grant of installments for payment of this differential amounts if the applicants request the non-applicant in writing to grant them suitable installments.

- 3) The applicants' Sub-meters shall be tested by the non-applicant for accuracy in the presence of the applicants.

All the above three actions shall be completed by both the parties on or before 10.04.2005. Both the parties shall report the compliance to this Forum before 15.04.2004.

(Smt. Gauri Chandrayan)
MEMBER

(S.D. Jahagirdar)
CHAIRMAN

**M.S.E.B.'S CONSUMER GRIEVANCE REDRESSAL
FORUM, NAGPUR URBAN ZONE, NAGPUR.**