

**CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L., PUNE ZONE, PUNE**

Case No.40/2016

Date of Grievance : 15.12.2016

Date of Order : 07.02.2017

In the matter of disconnection of supply which was obtained by the consumer without consent of co-owner.

Mr. Haribhau Ravji Navale,
At Post- Ucchil, (Kaldare)
Tal. Junnar, Dist.Pune,
Pin - 410502.

Complainant

Versus

The Executive Engineer,
M.S.E.D.C.L.,
Manchar Division,
Pune.

Respondent
(Herein after referred to as Licensee)

Quorum

Chairperson	Mr. S.N.Shelke
Member Secretary	Mrs.B.S.Savant
Member	Mr. S.S.Pathak

Appearance

For Consumer	Mr.Haribhau R.Navale ,
---------------------	-------------------------------

For Respondent	Mr.Khandekar, Ex.Engr. Manchar Dn. Mr.Getme, Junnar Sub-dn. Mr.Shinde, Dy.G.M.(F&A) Manchar Dn.
-----------------------	--

- 1) The Complainant has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & E.O.) Regulations 2006.
- 2) Being aggrieved and dissatisfied by the order dated 05.11.2016 passed by IGRC Pune Rural Circle, Pune, thereby rejecting the grievance, the

complainant above named prefers this grievance application on the following amongst other grounds.

- 3) The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Manchar Dn., Pune vide letter no. EE/CGRF/PZ/Notice/40 of 2016/263 dtd.15.12.2016. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 11.01.2017.
- 4) We heard both sides at length and gone through the contentions of the consumer and reply of the licensee and the documents placed on record by the parties.
- 5) Facts giving rise to the grievance may be stated as under :

The complainant is a retired employee of MSEDCL. He has land at village Uchil Tal. Junnar Dist. Pune, bearing Gat No.575. The Licensee had released Ag. connection in the said land having no. 175072964441 in the name of Ravji Dagdu Navale. The said connection made PD for arrears of Rs.6520/- in the month of March-2016. Prior to that the complainant had applied for releasing of new Ag. Connection in his name on 4.9.2014. But step brother of the complainant namely Ankush Ravji Navale raised objection for releasing of said connection in the said land without his consent being co-owner. Thereafter the said step brother applied for new Ag. Connection in the said land in his name on 3rd Feb.2016. The Licensee released said connection on 1st April 2016 having connection no.175070001190. But supply of complainant having consumer no. 175070001025 was released later on in the month of Oct.2016 though he had applied prior to his step brother. According to complainant his step brother namely Ankush Navale submitted false documents to the Licensee for getting supply & moreover the Licensee released the said supply without consent of the complainant & his brother namely Balu Ravji Navale. Therefore the complainant requests to disconnect the supply of consumer having no.175070001190 in the name of Ankush Ravaji Navale and to declare the said connection as unauthorized being arrears of PD consumer No.175072964441 in the

name of Ravji Dagdu Navale were existed and to take action against Ankush Navale for furnishing of false documents and further to take appropriate disciplinary action against the defaulting employee of the Licensee for unauthorisedly releasing connection no.175070001190.

6. The complainant Mr.Haribhau Navale submitted that he has land bearing Gat No.575 at Village Ucchil Tal.Junnar. Old connection having no. 175072964441 was standing in the name of father namely Ravji Dagdu Navale. The said connection was made P D for arrears of Rs. 6520/-. He applied for new connection in his name in the month of Sept. 2014 but his step brother namely Ankush Ravji Navale raised objection that it should not be released without his consent. Therefore he did not get supply immediately and suffered monetary loss. Thereafter the said Ankush Ravji Navale furnished false documents to the Licensee i.e. bogus hamipatra, and other documents and consents of Vahivatdar of said land namely Haribhau Navale (Complainant), & Balu Navale were not obtained. The said connection was released despite arrears of P.D. consumer. Therefore the connection no.175070001190 in the name of Ankush Ravji Navale be disconnected & be declared as unauthorized and action be taken against Ankush Navale for furnishing of false documents & disciplinary action be taken against the employees of Licensee for releasing of said unauthorized supply.
7. On the other hand Mr.Prakash Khandekar. Ex.Engineer, Manchar Division submitted that Mr.Ankush Navale, applied on 3.2.2016 for Ag. connection in land gat No.575 at village Ucchil. Thereafter the said connection was released having no.175070001190 on 1.4.2016. Thereafter the said complainant raised objection on 18.4.2016 for releasing of said connection in the name of his step brother without his consent. Mr.Khandekar further submits that the said Ankush Navale has submitted documents alongwith application for releasing of supply. The 7/12 extracts gat no.575 shows names of six sharers namely Haribhau Ravji Navale, Balu Ravji Navale, Ankush Ravji Navale, Janabai Tukaram Vani, Sunanda Rohidas Matele &

Tulsabai Ravji Navale. Since the name of Ankush Ravji Navale was appearing in the 7/12 extract of said land, the connection was released in the name of said Ankush Ravji Nawale. The information in the Hamipatra submitted by Ankush Navale, does not seem to be wrong. He further submits that the complainant has not produced any documents showing the said land is exclusively owned by him. The IGRC has rejected the said complaint on the ground that complainant has not suffered any loss due to releasing of said connection. The arrears of the P.D. consumer having no. 175072964441 have been deposited on 6.10.2016. Such type of complaint does not come under the definition of grievance as provided under Regulation No.2.1 (c) of MERC (CGRF & EO) Regulations, 2006 as has been held by Electricity Ombudsman in Representation No.143/2014. Therefore the complaint be dismissed.

8. The definition of grievance is provided under Regulations no.2.1 (c). It reads as under:

“Grievance” means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which has been undertaken to be performed by a Distribution Licensee in pursuance of a licence, contract, agreement or under the Electricity Supply Code or in relation to standards of performance of Distribution Licensees as specified by the Commission and includes inter alia (a) safety of distribution system having potential of endangering of life or property, and (b) grievances in respect of non-compliance of any order of the Commission or any action to be taken in pursuance thereof which are within the jurisdiction of the Forum or Ombudsman, as the case may be.

9. The present complaint is pertaining to absence of consent of the complainant while releasing the supply in the name of his step brother & that the said step brother allegedly furnished some wrong information along with application for supply. There may be some irregularities while releasing of supply. For that purpose, the complainant can seek relief before the Competent Authority of the Licensee. The present complaint does not come

within the definition of grievance as mentioned above. We find that due to releasing of supply in the name of step brother of the complainant, he did not suffer any loss, damage or inconvenience. Hence the said complaint is liable to be dismissed with cost vide Regulation No.6.9 © of MERC (CGRF & EO) Reg., 2006.

ORDER

Grievance of the consumer is dismissed with cost.

Delivered on: - 07.02.2017

S.S.Pathak
Member
CGRF:PZ:PUNE

B.S.Savant
Member/Secretary
CGRF:PZ:PUNE

S.N.Shelke
Chairperson
CGRF:PZ:PUNE

Note :- The consumer if not satisfied may filed representation against this order before the Hon.'ble Ombudsman within 60 days from the date of this order at the following address.

Office of the Ombudsman,
Maharashtra Electricity Regulatory Commission,
606/608, Keshav Bldg., Bandra Kurla Complex,
Bandra (E), Mumbai-51.