

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

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**Case No. CGRF(NZ)/88/2018**

Applicant : Shri Sudhir Ashok Chandrikapure,  
H. No.1267/4, Ward No.61,  
Near Elizabeth School, Mankapur,  
Nagpur.

Non-applicant : Nodal Officer,  
The Executive Engineer  
(D/F), NUC, MSEDCL,  
Nagpur.

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Applicant represented by : In person,

Non-applicant represented by: 1) Shri V.R. Sonkusle, Ex.Engr,  
2) Shri Dahasahastra, SNDL, Nagpur

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Quorum Present : 1) Shri Arvind Jayram Rohee,  
Chairperson.  
2) Mrs. Asmita Avinash Prabhune,  
Member(CPO)  
3) Mrs. V.N.Parihar,  
Member Secretary

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**ORDER PASSED ON 17.09.2018**

1) The applicant presented this grievance application before this Forum on 27.07.2018 under regulation 6.4 of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations 2006 (hereinafter referred to as said Regulation).

2) Non applicant denied applicant's case by filing reply dt. 21.08.2018.

- 3) Forum heard arguments of both the parties on 31.08.2018, 11.09.2018 & perused the record.
- 4) The applicant Shri Sudhir Ashok Chandrikapure has applied for getting a new electric connection for residential purpose vide application no.5420453936. But, his application is rejected due to old PD dues of Rs.1500/- against the old PD consumer no.410016711041 and Live arrears of Rs.55070/- against consumer no.410012203644 in the name of his father Shri Ashok Parasramji Chandrikapure Both the dues are against the connections of the same premises where the applicant wants new electric connection.
- 5). The applicant registered his grievance with Internal Grievance Redressal Cell, SNDL, (IGRC) vide case no.215/2018. IGRC, SNDL rejected the grievance application vide its order dt.21.07.2018 and ordered to pay the arrears before new connection being legal hair. Aggrieved by this order of IGRC, applicant approached this forum.
- 6). The Non-applicant submitted their written contention stating that the premises where applicant has made the application for new Service connection has old and live arrears and being legal hair, it is responsibility of application and requested to reject the application.
- 7). The case was fixed for personal hearing on 11.09.2018, for the applicant and non-applicant both were present for the hearing.
- 8). During the hearing, the Non-applicant states that the applicant was using the power supply from the existing live connection no.

4100121303644 in the name of his father Shri Ashok Parasramji Chandrikapure. But, due to conflict among them, the bills remained unpaid and arrears has mounted to the extent of Rs.55070/- and, therefore, due to threat of disconnection the applicant has applied for getting a new electric connection. Therefore, in case new service connection so desired is given and if the existing connection is disconnected in future for any reason there will not be any effect of such disconnection as possibility of using the supply from new electric connection cannot be ruled out by the applicant being closely in relation with other occupant. Hence, such new connection cannot be given unless dues of existing live connection and PD connections are paid. Secondly, the old PD dues is in the name of the applicant' father which needs to be paid by the applicant being a legal heir of the old PD consumer.

9) We have perused the record, and have heard the arguments of both the parties. The premises of the old PD consumer and that of the applicant is one and the same. Also, the applicant Shri Sudhir Ashok Chandrikapure is legal heir i.e. son of the old consumer Shri Ashok Parasramji Chandrikapure. Being legal heir, he is liable to clear the outstanding dues of the electric bill in the name of his father. Therefore, the action of the commercial manager to ask for the old PD dues from the applicant Shri Sudhir Ashok Chandrikapure is justified.

10) In the representation no.34/2013,Hon'ble Elect Ombudsman held that "as per regulation 10.5 ,the appellant is liable to pay actual and correct arrears of previous occupant, limited to a period of 6 months, if not legal hair.

11). In this case, the present occupant is son of the PD consumer Hence In view of the above observation and relying on Hon'ble Elect Ombudsman, non applicant is entitled to recover the entire arrears of father Shri Ashok Parasramji Chandrikapure from his son Shri Sudhir Ashok Chandrikapure who is the applicant .

Hence order of IGRC is correct and grievance *application* deserved to be dismissed.

Sd/-  
**(Mrs. A. A. Prabhune)**  
MEMBER(CPO)

Sd/-  
**(Mrs. V.N.Parihar)**  
MEMBER SECRETARY

Sd/-  
**(Arvind J. Rohee)**  
CHAIRPERSON

**Nagpur**

**Dt. 17.09.2018**

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