

13.8.2014. The said premise was occupied by tenant name Rajaram Guram and bill was issued in his name. After the said tenant vacated premises present consumer who is wife of Shri.Anil Dattatraya Ande made application in the year 2014. According to her the said change of name was not effected and therefore she filed complaint against the Respondent Utility official before IGRC. Thereafter on 27.8.2018 she made fresh application for change of name which was effected wrongly in the name of Shrinivas Shankar Ande again the said connection as changed in the name of Shrinivas Shankar Ande wrongly who applied for change of his name House No.1105 but wrongly his name was printed instead of House NO.1105 in the bill occupied by the premises by tenant House No.1103. Therefore on 26.4.2018 present consumer Smt. Lalita Anil Ande made application at Rastapeth Sub/dn. for change of name & in the month of Aug.2018 name of Smt. Lalita Anil Ande name was changed. Thereafter she filed complaint against the Respondent Utility claiming compensation as per breach of SOP delay according to consumer had taken place since 2014 to 2018. She has to suffer mental harassment and therefore she claim compensation as per breach of SOP as per Regulations. After filing the said complaint IGRC register the case and issued notice to Respondent Utility for reply. Thereafter Respondent Utility for reply. Thereafter Respondent Utility appeared and file reply stating the name and address of the said consumer and mentioned the premises was occupied by tenant Rajaram Rajanna Gujar. Consumer Smt. Lalita Anil Ande made application on 23.12.2014 at that time as per Regulations existing the said application could not be proceeded as she fed to deposit the relevant amount for the process. Therefore her name was not changed. Thereafter on 26.4.2018 she made again application for change of name was changed. Accordingly her compliance made on Aug.2018. The Respondent Utility submitted that Shri. Shrinivas Shankar Ande also made application occupation of house no.1105 on 26.2.2018 but due to over site his name was printed on the bill for House No.1105 after knowing this mistake the name was changed immediately. The application dated 26.4.2018 filed by consumer she complied the process of document by feeling application on plain paper. The said consumer required to feel up Form No.A-1. U form for no objection of previous occupant Shri. Rajaram, Rajanna Guram under

taking affidavit 26.4.2018 death certificate of Ashanna Alias Ande, House tax receipts, property card, extracts, Adhar Card, Election Card, Ration Card and affidavit of Shri. Dattatray Ashanna Ande. The said application and the document was verified and application dated 26.4.2018 the document bear the date of 26.4.2018 on the stamp paper and the affidavit filed by consumer on 26.4.2018 itself quotation was given to the consumer on 27.4.2018 process fee amount deposited by Receipt No.0670002/6746491, copy of the receipt is attached and the said application considered and the change of name was effected within stipulated time of billing cycle period. The consumer claimed compensation for delay in change of name does not arrive. No process fee was deposited along with the application by consumer on 23.12.2014. After giving opportunity both the parties on 16.10.2018 ,IGRC passed the order against the consumer stating that in the month of Aug.2018 the name changed effected on the bill of consumer premises as processing fee was not deposited and earlier wrong name changed was made due to oversight Shri.Shriniwas Shankar Ande was corrected in the bill for March, April, May, June & July -2018. As the delay was not inordinate and intentionally cause by the utility therefore complaint of the consumer was dismissed.

Being aggrieved by the said order of IGRC, the present consumer approached to this Forum and filed complaint in Form No.- A. Consumer claimed compensation for delay in change of name process calculated by her from the date of earlier application 23.12.14 He filed all the relevant documents which was filed at the along with complaint of IGRC against. Copy of IGRC order and all relevant documents filed in the year 2018 was also attached along with fresh U Form application. I have perused all the documents filed by consumer in the year 2014 and again in the year 2018. Following points arose for my consideration to which I have recorded my findings to the points for the reasons given below. After filing the said complaint this office register the case and issue notice to the Respondent Utility. Thereafter the respondent utility service with the notice appeared on the date of hearing on 10.12.2018 and filed reply. Respondent Utility objected the complaint stating that due to noncompliance and submission of proper documents earlier application of consumer was not processed. Wrong

name was change at the premises due to mistake subsequent application filed by the consumer on 26.4.2018, which was processed after depositing processing fees. The document Annexure along with 26.4.2018 Form No.A1,U form 23.12.2014 ,no objection of Rajaram Rajaana Guram affidavit 26.4.2018 death certificate, tax receipts, property register card, Adhar Card, Ration Card, Election Card and affidavit of Dattatara Ashanna Ande. According to Utility the name was effected in the month of 12.Aug. 2018. It is stipulated time after processing fees deposited and submission of all relevant documents required as per Regulation. Consumer was not entitled for any compensation. Respondent utility pray for rejection of complaint with cost.

Following points arose for my consideration to which I have recorded my finding to the points for the reason given below :

1. Whether consumer is entitled for compensation for breach of SOP delay in effecting change of name on the meter?
2. Whether consumer is entitled to get change of her name on the premises which was already effected?
3. What order ?

Reasoning :-

I have perused nature of dispute raised by consumer. It is pertaining to know that property stands in the name of Shri. Sadashiv Ashanna Ande earlier. Where the House no. is mentioned 1103,1105,110,1155 and 1431 property registered he has disclosed name of holders Ashanna Sadashiv Ande Narayan Sadashiv Ande, Dashrath Sadashiv Ande, Shankar Sadashiv Ande, & Vasant Sadashiv Ande it seems that they are legal heirs of decease Sadashiv Ashanna Ande. Thereafter the property House No. earlier received the possession in the name of Ashanna Baburao Alis Sadashiv Baburao Ande. The consumer Lalita Anil Ande is wife of Anil Dattatraya Ande who fail to make any application was getting effect of change of name. Copies of document possession receipt dated 16.9.2013 is filed. The said premises hand over to Rajaram Rasjanna Guram by Dattatraya Ashanna Ande.,it means the said premises is transferred earlier in the name of tenant Rajanna Rajaram Guram who was in occupation of the said premises. As per terms and conditions executed in this agreement to which Anil Dattatraya Ande is also signed as a witness. The premises is in occupation of Rajaram Rajanna

Guram he occupied the said premises in the end of 2014. According to consumer Rajaram Rajanna Guram vacated the premises and handed over possession to Dattaratray Ashanna Ande. Thereafter Dattaratray Ashanna Ande executed document in favour of his daughter in law Lalita Anil Ande having no objection to transfer and change of name on electric meter situated in the premises and accordingly the application is filed by Lalita Anil Ande.

Question arise before me that, during the life time of husband without any proper authenticated documents of legal transfer of premises. How a wife of Anil Dattatray Ande present consumer Lalita Anil Ande who have preceded application for getting change of name. As there was no partition or any such documents creating Right of husband of the consumer Anil Dattatray Ande legally having possession of the said premises. Secondly the purpose of change of name of the meter is only to recover the dues from a person who occupied the premises and use the supply for effecting the said premises only. Changing name on the light bill does not confirm any right title over the property. It seems that there was property dispute of the possession of the said room which was seriously disputed.

The Respondent Utility due to over site effected the name of Shri. Shankar Sadashiv Ande who applied for change of name of property No. 1104, but due to mistake the name was wrongly changed. The purpose of making application by the consumer is creating right title and interest in the property without authenticate documents. I agree with the proposition of power of Respondent Utility they cannot entered into legal validity of documents. Person who was occupying the premises where the supply is given can make and application to transfer and change the name of electricity meter giving the responsibility to pay the revenue charges and electricity bill but the said premises was already given on rent to Rajaram Rajanna Guram who vacated. The said premises and thereafter instance of getting change of name occurrence right of occurred to the occupant.

Without prejudice to the right of consumer to my view person who occupied the premises Anil Dattatraya Ande who is law full competent to get his name changed on the supply of electric meter to his premises House No.1103/4. But he gave consent to change the supply in the name of his wife Lalita Anil Ande and the change of name is already effected. To my view until

the competent person Anil Dattatray Ande makes and proper application late the connection be continuation in the name of Lalita Anil Ande his wife as there is consent of all other occupant family members of her.

Coming to the issue of reason of compensation all the documents filed along with application required in Format A-1 and U form and process fee was paid along with the application dated 26.4.2018 which was duly process. As per Regulation the period calculated maximum as per SOP amended is two billing cycle here in this case as the dispute for the possession of the room and the representation was made to utility which required sufficient time to go through the property related documents and the delay in change of name process as describe under amended SOP with the period of two billing cycle does not entitled to consumer to claim compensation. As format provided in form U and change of name application describe the change in the name of wife as she is not legal representative of success in property list. Her authentication is challenged as per legal status such person cannot avoided any compensation Hence on the merit this is not feet case to grant any compensation and the delay which claimed by the consumer since year 2014-2018 is not actually taken place as Circular published giving empowered to utility that without any NOC or objection changed can be effected fresh application was obtained and process on 12.8.2018. The name was already changed of consumer hence I do not found any reason to consider the consumer complaint for a feet case of compensation. Hence the consumer complaint liable to be dismissed.

The opportunity was given to both parties i.e. utility and consumer for submission of their relevant documents and if any say is required during the hearing. Accordingly, the time limit of 60 days prescribed for disposal of the grievance could not be adhered to.

Hence I proceed to pass following orders.

ORDER

1. Consumer Complaint of Case No.56 of 2018 stands dismissed.
2. No order as to the cost.

3. Authorize person Anil Dattatraya Ande is at liberty to make application to get change of his name as per Rules.
4. The Licensee to report compliance within one month from the date of this order.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Pune Urban Zone, Pune on 29th Dec. - 2018.

Note:-

- 1) If Consumer is not satisfied with the decision, he may file representative within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051.

- 2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

I agree / ~~Disagree~~

I agree / ~~Disagree~~

Sd/-

**ANIL JOSHI
MEMBER
CGRF:PZ:PUNE**

Sd/-

**A.P.BHAVTHANKAR
CHAIRPERSON
CGRF: PZ:PUNE**

Sd/-

**BEENA SAVANT
MEMBER- SECRETARY
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