

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

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**Case No. CGRF(NZ)/133/2018**

Applicant : User– Smt.Tabassum Naj Abdul Latif Sheikh  
Plot No.9, Galli No.4, Mahendra Nagar  
Nagpur-448609.

Non–applicant : Nodal Officer,  
The Superintending Engineer,  
(D/F), NUC, M.S.E.D.C.L.,  
Nagpur.

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Applicant represented by : In Person,

Non-applicant represented by: 1) Shri Sonkusale,Exe.Engr.,

MSEDCL,

2) Shri Dahasahastra, SNDL, Nagpur

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

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**ORDER PASSED ON 22.02.2019**

1) The applicant approached this forum under clause 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations 2006, since aggrieved by rejection of her request for sanction of new energy connection on her premises bearing Plot No.9, Mahendra Nagar, Kamtee Road, Nagpur, on the ground of failing to pay the P.D. arrears.

2) It is stated that the applicant purchased the aforesaid plot from one Abdul Mubin Abdul Majid under registered Sale Deed dt.01.01.2018. According to her the P.D. arrears were on Plot No.9-A and not on Plot No.9, and that both the plots are distinct.

3) The Non Applicant denied the claim and stated that there is no Plot No.9-A as such and there were two electric meters bearing Consumer No.410013029303 & 410016207504 on Plot No.9. Hence the applicant being purchaser is liable to pay P.D. arrears of Rs.8978/- and Rs.30,718/- respectively, on both the aforesaid meters. Since the applicant did not pay the P.D. arrears, her request for sanction of new electric connection is not considered.

4) The applicant approached IGRC first against the order of rejection passed by Commercial Manager. The IGRC vide Order dt.28.11.2018 reduced the amount of arrears considering it for 6 months only prior to disconnection of supply as per CPL, to the extent of Rs.2880/- and Rs.9160/- respectively, in all Rs.12,040/- only on both the Consumer Nos. and the following direction is issued.

“The NSC-Manager is now directed as below:-

1) Recover Rs.12,040/- towards total PD dues against P.D. Consumer Nos. 410013029303 & 410016207504 and after payment, process the application for release of new electric connection.

2) The guidelines of the Hon'ble High Court order in P.I.L. No.70/2017 shall be observed, if necessary.

The NSC-Manager shall submit his compliance accordingly.

The applicant's grievance application is allowed and it stands disposed of in terms of this order.”

5) Dis-satisfied with the above order of IGRC the present grievance application is filed.

6) The Non-Applicant by a reply dt. 23.01.2019 justified their action and the order passed by IGRC.

7) Heard the applicant who is represented by her brother Mohd. Javed and the reply arguments of Shri Sonkusale, Executive Engineer, MSEDCL assisted by Shri Dahasahastra of SNDL for Non Applicant. We have carefully perused the case record.

8) It is transpired during the course of hearing that there is no separate Plot No.9-A and on Plot No.9, there were two electric meters of consumers namely Shri Chandraprakash Kangale (410013029303) from Pole No.MN/50 and another consumer Shri Asif Sheikh Ahmad (410016207504) from Pole No.MH/37. It also appears that the plot purchased by the applicant is in fact the Nazul property. However, keeping the issue of legitimate ownership of Plot No.9 to be decided by the Civil Court, if challenged by somebody or

if the Government suomotu initiates any action against the applicant, styling him as encroacher and since the applicant is now prepared to make payment of arrears of Rs.12,040/-, his request is accepted. He is therefore, directed to credit P.D. arrears of Rs.12,040/- within 1 week in the office of Non-Applicant. On such payment, the Non-Applicant shall consider request for grant of new connection on Plot No.9 in the name of the applicant promptly in accordance with law.

9) The Non-Applicant shall issue Demand Note to the applicant for grant of new connection if approval and shall complete all the formalities in this behalf by the end of next month.

10) Grievance Application stands disposed off accordingly, No order as to costs.

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

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

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