

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission
under Section 42(6) of the Electricity Act, 2003)

REPRESENTATION NO. 25 OF 2020

In the matter of New Electricity Connection

Ashraf Abdul Sattar..... Appellant

V/s.

Maharashtra State Electricity Distribution Co. Ltd., Nashik (MSEDCL)..... Respondent

Appearance

For Appellant : 1. Mohd. Faisal Ashraf
2. Balasaheb N. Ahire, Representative

For Respondent : 1. J. K. Bhamare, Executive Engineer
2. R. G. Ingle, Addl. Ex. Engineer
3. Pavan Disawal,
4. D.L.Boviskar, Dy.Manager

Coram: Deepak Lad


Date of Hearing: 17th March 2020

Date of Order : 16th July 2020

ORDER

This Representation is filed on 4th February 2020 under Regulation 17.2 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (CGRF Regulations) against the Order dated 29th November 2019 passed by the Consumer Grievance Redressal Forum, MSEDCL Nashik Zone (the Forum).

2. The Forum, by its order dated 29.11.2019 has dismissed the complaint with cost.


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai




3. Aggrieved by the order of the Forum, the Appellant has filed this representation stating as under:

- (i) The Appellant had applied for new connection at S.No.145/2, Plot No.37, Tal. Malegaon, District Nashik. The Respondent has inspected the site and issued Firm Quotation of statutory charges of Rs.565/- which is paid on 20.04.2019.
- (ii) The Appellant along with two others has purchased a Non-Agricultural plot of 1750 Square Feet having Survey No. 145/2, Plot No. 37 Sampurn, from Hidaytulla Niyamtulla in the year 2006, boundaries of which are given below,
East – Plot No.38 West – Plot No.36
North - Road South – a small lane
- (iii) The sale deed is registered on 25.08.2006 in the office of Jt. Sub Registrar Malegaon – 2.
- (iv) He was informed by the Respondent that Consumer No.065510270724 was having electricity connection at the same plot which was permanently disconnected. This connection was in the name of Daulatullah Mohd. Yasin on Plot No.37, S.No.145, which was released on 31.10.2015. This connection was permanently disconnected and has no relation whatsoever with the Appellant.
- (v) There was another connection of 5 HP which was released on 31.10.2015. The Consumer Number of the same is 065514935089. The arrears standing against this connection was paid on 16.03.2017.
- (vi) Survey No.145 and 145/2 are distinctly separate. The Respondent should be directed to release connection in S.No.145/2 against the application submitted. The arrears, if any, may be recovered from Daulatullah Mohd. Yasin.

4. The Respondent MSEDCL filed its reply by letter dated 17.03.2020 stating in brief as below: -

- (i) The place on which the Appellant demands electricity connection is in arrears of Rs.103057.81. The connection was disconnected in May 2016 due to nonpayment of arrears. The arrears have not yet been paid.
- (ii) The Appellant has been served bill as directed by the Internal Grievance Redressal Cell (IGRC). Unless it is paid, connection cannot be released.
- (iii) The representation therefore be dismissed.


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai



5. The hearing was held on 17.03.2020. During the hearing, both the parties argued in line with their submissions. However, there was disagreement on identification of the premises as to whether it is Survey No. 145 or 145/2 and the arrears are against which premises?

Analysis and Ruling


6. During the hearing on 17.03.2020, both the parties were heard. Since there was difference of opinion on the premises physical identity per se, it was directed that the Respondent and the Appellant both may visit the appropriate revenue authority to ascertain the facts of the case as far as its survey numbers and boundaries of the plot are concerned.

7. However, with the onset of COVID-19, post 17.03.2020 and situations arising out of it, both the parties could not undertake the exercise as directed by the undersigned. Therefore, the case could not be decided.

8. When the secretariat of this office enquired with the Respondent on 01.07.2020 as to the progress in the matter, it was informed that it is not possible as to when the exact information could be obtained due to declaration of some containment zones in the city of Malegaon. Moreover, the Malegaon city has been handed over to the distribution franchisee appointed by the Respondent.

9. In view of this, it will not be appropriate to keep this representation pending for a considerable long period. I, therefore, dispose of this representation with liberty to the Appellant to approach the undersigned directly if the issue remains unresolved.

Sd/
(Deepak Lad)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

