

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
B.E.S. & T. UNDERTAKING

(Constituted under section 42(5) of Electricity Act 2003)

Ground Floor, Multistoried Annex Building,
BEST's Colaba Depot
Colaba, Mumbai - 400 001
Telephone No. 22799528

Representation No. N-GN-363-2018 dtd. 06/07/2018

Shri Mohd. Shakeel KhanComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Dr M.S. Kamath, Member, CPO

On behalf of the Respondent : 1. Shri P. P. Kulkarni, DECC(G/N)
2. Shri Petiwala, Supdt. Vig(N)
3. Smt. P.S. Kekane, AAM CC(G/N)
4. Smt. M. Davare, Supdt. CC(G/N)

On behalf of the Complainant : 1. Shri Saquib Khan

Date of Hearing : 29/08/2018

Date of Order : 05/09/2018

Judgment by Shri. Vinayak G. Indrale, Chairman

Shri Mohd. Shakeel Khan, Gala no. 91 D, Grd. Madina Compound, Sant Kabir Marg, Dharavi, Mumbai - 400 017 has come before the Forum for dispute regarding recovery of outstanding amount of Rs.1,30,018.00 pertaining to old occupier Shri Safikun Nisa Mohd. having a/c no. 781-188-003 at the time of reconnection of electric supply.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 15/06/2018 dispute regarding recovery of outstanding amount of Rs.1,30,018.00 pertaining to old occupier Shri Safikun Nisa Mohd. having a/c no. 781-188-003 at the time of reconnection of electric supply. The complainant has approached to CGRF in schedule 'A' dtd. 04/07/2018 received by CGRF on 04/07/2018 as the complainant was not satisfied by the remedy provided by the IGR Cell of Distribution Licensee on his grievance.

**Respondent, BEST Undertaking in its written statement
in brief submitted as under :**

- 1.0 Shri Mohd. Shakeel Khan came before the Forum regarding his dispute about recovery of outstanding amount of Rs. 1,30,018 pertaining to old occupier of the premises Safikun Nisa Mohamad having a/c no. 781-188-003 at the time of reconnection of electric supply vide requisition number 362240 dated 06/04/2018.
- 2.0 Shri Mohd. Shakeel Khan is a owner / land lord of Inaytullah compound , Dharavi Main Road, Dharavi Mumbai 17 . He has applied for reconnection of electric supply to nine number of premises, vide requisition no. 330273, 330525 etc. After investigation it was observed that, the electric supply to the applied premises were disconnected in past for the reason of non-payment electricity dues. Total outstanding amount against applied premises was informed to the complainant vide letter dated 07/03/2018. Electric supply was reconnected to six number of premises after payment of outstanding amount. The complainant has disputed outstanding amount pertaining to a/c 781-188-003.
- 3.0 Electric supply was given to the premises under reference in the name of Safikun Nisa Mohamad through meter no. D856559 from 20/07/1998. The electric supply to this premises was disconnected by removing of meter on 11/08/2015 for the reason non-payment of electricity dues amounting to Rs. 3,75,228.13. The final bill Rs. 1,30,018.20 is generated after adjustment of SD and correction in estimated billing after adjustment of credit processed in the month of February 2018.
- 4.0 The complainant has applied for reconnection of electric supply to the premises under reference vide 362240 dated 06/04/2018. Investigation was carried out against this requisition and it is observed that this is a lapse reconnection of a/c no. 781-188-003.
- 5.0 The complainant is disputing the liability of the arrears on the ground that he has no blood relation with Safikun Nisa Mohamad. As per ration card attached by the complainant along with the application of electric supply, Safikun Nisa Mohamad is a mother of the complainant. Arrears amount pertains to family member, the complainant is liable to pay the entire arrears amount. As there was urgent need of electric supply to the premises, electric supply is reconnected by obtaining an Undertaking Letter stating that he will pay the outstanding amount as per CGRF's order.

REASONS

- 1.0 We have heard the arguments of Shri Saquib Khan representative of the complainant and for the Respondent BEST Undertaking Shri P.P. Kulkarni, DECC(G/N), Shri Petiwala, Supdt. Vig(N), Smt. P.S. Kekane, AAM CC(G/N) and Smt. M. Davare, Supdt. CC(G/N). Perused the documents filed by either parties to the proceeding.
- 2.0 The complainant Shri Mohd. Shakeel Khan has approached the Forum against the demand bill of Rs. 1,30,000.00 issued to him for getting the reconnection to the premises. The contention of the Respondent BEST Undertaking is that due to non-payment of electricity, the meter in the said premises was removed on 11/08/2015 and arrears have accumulated to Rs. 1,30,018 as on February 2018. It appears that Smt. Safikun Nisa Mohd. was earlier occupier who had consumed the electricity.
- 3.0 It appears that the said Smt. Safikun Nisa Mohd. is a mother of the complainant. This being the position, the complainant can be very well termed as legal heir of the so called Smt. Safikun Nisa Mohd. This fact has been very well conceded by Shri Saquib Khan, representative of the complainant. He has further conceded that whatever demand notice issued by the Respondent BEST Undertaking claiming arrears of electricity is legal and proper as the complainant being legal heir is liable to pay the electricity charges as per MERC Regulation 10.5.
- 4.0 Having regard to the above said discussion, we do not find any substance in the complaint and therefore proceed to pass the following order.

ORDER

- 1.0 The complaint no. N-GN-363-2018 dtd. 06/07/2018_stands dismissed.
- 2.0 Copies of this order be given to both the parties.

sd/-
(Dr. M.S. Kamath)
Member

sd/-
(Shri V.G. Indrale)
Chairman