

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-362-2018 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 C, Inayatullah Compound, Sant Kabir Marg, Dharavi, Mumbai - 400 017 has come before the Forum for dispute regarding recovery of outstanding amount of Rs.2.02,835.52 pertaining to old occupier Shri Mohd. Hussain Abdul Latif Khan having a/c no. 781-162-301 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.2,02,835.52 pertaining to old occupier Shri Mohd. Hussain Abdul Latif Khan having a/c no. 781-162-301 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. 2,02,385.52 pertaining to old occupier of the premises Shri Mohd Husaain Abdul Latif Khan having a/c no. 781-162-301 at the time of reconnection of electric supply vide requisition number 362286 dated 06/06/2018.
- 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 781-162-301.
- 3.0 Electric supply was given to the premises under reference in the name of Shri Mohd. Husain Abdul Latif Khan through meter no. H082054 from 05/11/2008. The electric supply to this premises was disconnected by removing of meter in August 2015 for the reason non-payment of electricity dues amounting to Rs. 1,88,985.25. The final bill Rs. 2,02,835.52 is generated after adjustment of SD and correction in estimated billing after adjustment of credit processed in the month of March 2018.
- 4.0 The complainant has applied for reconnection of electric supply to the premises under reference vide 362286 dated. 06/06/2018. Investigation was carried out against this requisition and it is observed that this is a lapse reconnection of a/c no. 781-162-301.
- 5.0 The complainant is disputing the liability of the arrears on the ground that he has no blood relation with the Shri Mohd. Hussain Abdul Latif Khan. As per ration card attached by the complainant along with the application of electric supply, Shri Mohd. Hussain Abdul Latif Khan is a uncle 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. The Respondent BEST Undertaking has filed written statement alongwith documents marked at Exhibit A, B, D & E.
- 2.0 After going through the written statement, it reveals that according to the Respondent BEST Undertaking the complainant is legal heir of earlier occupier and therefore as per Regulation 10.5 the complainant is liable to pay all the arrears as claimed for getting the reconnection to the premises.
- 3.0 We have gone through the record and it appears that the complainant Shri Mohd. Shakeel Khan has applied for reconnection and the Respondent BEST Undertaking has directed the complainant to deposit the arrears of electricity of previous occupier. The Respondent BEST Undertaking has contended that previously one Shri Mohd. Husain Abu Latif Khan was in possession of the premises and after disconnection on account of arrears of electricity the res has claimed total amount of Rs. 1,93,707 as arrears.
- 4.0 It appears from the record that the complainant Shri Mohd. Shakeel Khan is nephew of Shri Mohd. Husain Abu Latif Khan who was earlier occupier. Considering this relationship it can be very well held that the complainant can be termed as legal heir of Shri Mohd. Husain Abu Latif Khan.
- 5.0 Here we have to state that the representative of the complainant has fairly conceded that this complainant can be termed as legal heir of Shri Mohd. Husain Abu Latif Khan who was earlier occupier and therefore liable to pay the amount as claimed. In view of this submission we do not find any merit in the complaint therefore we proceed to pass the following order.

ORDER

- 1.0 The complaint no. N-GN-362-2018 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