

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 88 OF 2024

In the matter of extension of load and outstanding dues of PD consumer in premises

Smt. Shubhangi Nilkanth Patil Appellant
(Consumer No. 001901940424)

V/s.

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

Appearances:

Appellant : Vasant Vaze, Representative

Respondent : 1. Prashant Dani, Executive Engineer, Virar Dn.
2. Rajesh Bhute, Addl. Ex. Engineer, Nalasopara (E) Sub-Dn.
3. Rathod, Dy. Ex. Engineer, Virar Dn.


Coram: Vandana Krishna [IAS (Retd.)]

Date of hearing: 11th June 2024

Date of Order : 26th June 2024

ORDER

This Representation was filed on 16th May 2024 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the order dated 2nd April 2024 passed by the Consumer Grievance Redressal Forum, Vasai (the Forum). The Forum by its order has disposed the grievance in Case No. 36 of 2024. The Forum observed


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai



that there were outstanding arrears of Rs. 2,44,280/- in the same premises where the Respondent filed a theft case under Section 135 of the Electricity Act, 2003 in the name of Rohini Meghshyam Patil (Cons. No. 00197684560) where the supply was permanently disconnected.


2. The Appellant has filed this Representation against the above order. An e-hearing was held through video conference on 11th June 2024. Parties were heard at length. The Respondent filed its reply dated 31st May 2024. Its submissions and arguments are stated first for easy understanding as follows: - *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' in brackets where needed.]*

(i) The Appellant is a single-phase commercial consumer (No. 001901940424) from 28th May 2023 for the use of Grocery (Kirana) Shop. The commercial connection details of the same property including the Appellant's connection are tabulated as below:

Table 1:

Sr. No.	Consumer No.	Date of Connection	Name of Consumer	Address	Tariff Category	Remarks
1	001901940424	28/05/2023	Shubhangi Nilkanth Patil	Sr. No. 120/3/3, Dhruvika Chawl, Dhruv Compound, Valaipada,	Commercial	Single Phase Supply, Outstanding Dues Of Rs.19,980/-
2	001901940416	28/05/2023	Nilam Milan Patil	SR.No.120/3/3 Dhruv Compound Valai Pada Shiv Mand Vasai Palghar Vasai-Virar City (M Corp)	Commercial	Single Phase Supply, Outstanding Dues Of Rs.5,460/-, Temporary Disconnected Tag
3	001907684560 (P.D.)	03/06/2021	Roshani Meghashyam Patil	SR.No.120/3/3 Dhruv Compound Valai Pada Shiv Mand Vasai Palghar Vasai-Virar City (M Corp)	Commercial	Three Phase Supply, Pd, Outstanding Dues Of Rs. 2,68,000/-
4	001901940441	28/05/2023	Milan Yashwant Patil	SR No 120/3/3 Dhruvika Chawl Dhruv Compound Valai V Asai Palghar Vasai-Virar City (M Corp)	Commercial	Single Phase Supply, Outstanding Dues Of Rs.2,970/-, Supply Was Temporary Disconnected Tag
5	001901940432	28/05/2023	Nanda Bai Yashwant Patil	SR No 120/3/3 Dhruvika Chawl Dhruv Compound Valai V Asai Palghar Vasai-Virar City (M Corp)	Commercial	Single Phase Supply, Outstanding Dues Of Rs.3,730/-, Supply Was Temporary Disconnected Tag

(ii) The Appellant applied online for extension of load from 0.4 KW (single phase) to 5 HP (three phase) on 13/01/2024 for the Consumer No.001901940424. The site was inspected immediately in Feb. 2024. During inspection, it was observed that there were outstanding dues of Rs.2,44,280/- on the same premises of Rohini Meghshyam Patil (Cons. No. 00197684560) as shown in Table 1.


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(iii) Previously on 18.10.2022, the Respondent inspected the premises of Consumer no. 001907684560 (Roshani Meghashyam Patil). During inspection it was found that the said consumer was using direct supply for water purification plant, so a theft case under 135 was lodged against the said consumer, and a supplementary bill of Rs.2,44,280/- was issued. The said consumer did not pay this supplementary bill which is outstanding on the said premises.

(iv) The Respondent referred the Regulation 12.5 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021 (Supply Code & SOP Regulations 2021.)

“Any charge for electricity or any sum other than a charge for electricity due to the Distribution Licensee which remains unpaid by a deceased Consumer or the erstwhile owner / occupier of any premises, as a case may be, shall be a charge on the premises transmitted to the legal representatives / successors-in-law or transferred to the new owner / occupier of the premises, as the case may be, and the same shall be recoverable by the Distribution Licensee as due from such legal representatives or successors-in-law or new owner / occupier of the premises, as the case may be.”


(v) The premises of the Appellant and Rohini Meghshyam Patil (Cons. No. 00197684560) is the same. Rohini Meghshyam Patil is one of the family members of the Appellant. Hence, the Appellant was requested to pay this outstanding bill of Rs. 2,44,280/-.

(vi) In view of the above, the Respondent prays that the representation of the Appellant be rejected.

3. The Appellant’s submissions and arguments advanced in the hearing are stated as below:

(i) The Appellant (Smt. Shubhangi Nilkanth Patil) is a single-phase consumer (No. 001901940424) from 28/05/2023 at S.No. 120/3/3, Dhruvika Chawl, Dhruv Compound, Valaipada, Nalasopara (East).

(ii) The connected load of the Appellant’s is 0.4 KW. The said connection is used for a Kirana Shop. The Appellant is regular in payment of bills.


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- (iii) There is a well behind the consumer's chawl which is owned by the consumer. There is no proper water arrangement in consumer's premises. The Appellant is planning to install one 5HP motor for lifting water from the said well. The lifted water will be used for sale as well as for self-use.
- (iv) The Appellant has applied online for extension of load from 0.4 KW(single phase) to 5 HP (three phase) on 13/01/2024.
- (v) When the Appellant enquired about the further progress of the application for load extension, it was informed by the Respondent that there are outstanding dues of Rs.2,44,280/- on the said premises, where the theft case was lodged under Section 135 of the Electricity Act, 2003 against the consumer Rohini Meghshyam Patil (Cons. No. 00197684560) as shown in table 1. **The said consumer booked under Section 135 is entirely different in terms of Name, Consumer Number and Address; also, and by no means is related/concerned with the Consumer.** Under such circumstances, it is not understood as to why the process of consumer's extension of load is held up? The Respondent is creating a new issue of theft which is not applicable in the present case.
- (vi) It is therefore prayed, that the Respondent be directed to release extension of load on top priority.
- (vii) The Appellant sought time of one week for discussion to find an amicable solution.

4. The Appellant's representative by his email (18th June 2024: 4.06 PM) informed that the Appellant consumer Mrs. Shubhangi Patil has informed that she wishes to withdraw her case unconditionally, and will have no further claim in the present subject matter.

Analysis and Ruling

5. Heard the parties and perused the documents on record. The Appellant has applied online on 13/01/2024 for extension of load from 0.4 KW (single phase) to 5 HP (three phase) to her commercial consumer No. 001901940424. However, there are outstanding dues on the same



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premises for a theft case. Hence, the Appellant by letter dated 18/06/2024 has withdrawn the representation.

6. In view of the above facts, this authority accepts the withdrawal, and this Representation is disposed of as withdrawn.

Sd/
(Vandana Krishna)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

