

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 18/2014

Shri Homraj Marotrao Virutkar
At.Murpad Po.Kajalsara
Tq.Hinganghat
District - Wardha.

Complainant

„VS..

1. Executive Engineer,
MSEDCL,O&M Division,
Hinganghat.
2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL,Wardha.

Respondents

Applicant represented by	1) Shri B.V.Betal, Authorized representative
Respondents represented by	1) Shri M.S.Vaidya, Executive Engineer, Hinganghat
	2) Shri V.M.Hedao, Assistant Engineer Hinganghat (R)

CORAM:

Shri Vishnu S. Bute, Chairman.
Adv. Gauri D. Chandrayan, Member
Ms. S. B. Chiwande, Member-Secretary.

JUDGEMENT

(Delivered on this 25th day of April, 2014)

2. Shri Homraj Marotrao Virutkar r/o Murpad Po.Kajalsara, Tq.Hinganghat, Dist.Wardha (hereinafter referred to as, the applicant) submitted an application for new agricultural connection sometime in 2002. It is the contention of the applicant that the MSEDCL (hereinafter referred to as, the respondent) had not release the connection uptill now. He approached the IGRC Wardha. The IGRC Wardha passed order under no.SE/Wardha/T/IGRC/494 dated 28-01-2014. Feeling aggrieved by the aforesaid order, the applicant presented the instant application under the provisions contained in Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006 on 06-03-2014.

Both the parties were heard on 21-04-2014.

Shri Betal an authorized representative argued for the applicant that the applicant submitted an application in A 1 form in 2002. He got demand note in November 2002, He deposited the amount on 29-12-2003. He submitted the test report on 29-12-2003 itself. However the respondent had not release the connection till today.

The applicant claim compensation as per the provisions of SOP Regulations. In addition he claims compensation of Rs.7.00 Lakhs towards the loss of his agricultural produce.

The applicant also stated that his name did not appear in the news paper advertisement dated 24-12-2010. As per the IGRC order if he submits the test report the respondent may be directed to release the connection immediately.

Shri Vaidya, Executive Engineer & Shri Hedao, Assistant Engineer represented the respondent. It was stated that the applicant did not submit the test report. So his application was not processed further. The MSEDCL published an advertisement in the news paper and directed the applicants to approach the respondent & to comply the discrepancies. The applicant did not respond to the advertisement. So his application was dismissed. Now his name did not appear in the paid pending list.

The respondent further stated that the application & the claim for compensation is time barred. So it may be dismissed.

We have perused the record. We have heard the arguments advanced by both the parties carefully. As per the applicant he submitted the test report on 29-12-2003. However he had not produced any oral or documentary evidence in support of his

statement. The respondent stated that the applicant did not submit the test report. So his application is dismissed.

In absence of any cogent & reliable evidence we have no alternative but to accept the statement of the respondent.

Secondly, the applicant himself produced the Xerox copy of the advertisement. It is true that his name did not appear in the list. However it is also seen from the advertisement that many applicants submitted the applications for connections. However the test report was not submitted. So there is a force in the argument of the respondent that the applicant did not submit the test report.

Furthermore as per the respondent he deposited the amount on 29-12-2003. So as per the SOP Regulations the respondent was expected to release the connection after three months. Naturally the cause of action arose in March 2004.

Regulation 6.6 of the MERC (CGRF & EO) Regulations 2006 reads as under,

6.6 The Forum shall not admit any Grievance unless it is filed within two (2) years from the date on which the cause of action has arisen.

The applicant presented the instant application on 06-03-2014. In view of the aforesaid provision the application is hopelessly time barred.

In view of the aforesaid discussion, we pass the following order,

ORDER

- i) Application No.18 of 2014 is hereby dismissed.
- ii) The parties to bear their own cost.

Sd/- (Adv.Gauri D.Chandrayan)	Sd/- (Ms.S.B.Chiwande)	Sd/- (Vishnu S. Bute)
<u>MEMBER</u>	<u>MEMBER SECRETARY</u>	<u>CHAIRMAN</u>
<u>CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR</u>		
<u>(Nagpur Dtd.25th day of April, 2014)</u>		

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440013

Email.id- cgrfnz@mahadiscom.in
cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 25th April, 2014 in Case No.18 / 2014 is enclosed herewith.

Member-Secy/ Exe.Engineer,
C.G.R.F.(NZ)MSEDCL
N A G P U R

To,
Shri Homraj Marotrao Virutkar At.Murpad Po.Kajalsara Tq.Hinganghat Dist.Wardha

Copy s.w.r.to :-

1. The Chief Engineer(NZ), MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.

Copy f.w.cs.to:

1. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Wardha
2. Executive Engineer,C.C.O&M Dn., MSEDCL, Hinganghat.
for information and necessary action.

Address of the Electricity Ombudsman is given as below.

Office of - The Electricity Ombudsman,
12, Srikrupa, Vijay Nagar,
Chhaoni, Nagpur-440 013
0712-2596670