

**Maharashtra State Electricity Distribution Co. Ltd.'s  
Consumer Grievance Redressal Forum  
Nagpur Zone, Nagpur**

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**Case No. CGRF(NZ)/33/2017**

Applicant : Shri Umesh H.Jaipurkar  
At.Pawani Po.Allipur, Tq.Hinganghat  
Dist. Wardha.

Non-applicant : Nodal Officer,  
The Executive Engineer,  
O&M Division,MSEDCL,  
Hinganghat.

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Appellant's representative :- Shri Betal,

Respondent by 1) Shri Pawade,EE, O&M Division,MSEDCL, Hinganghat  
2) Shri Awachat,Dy.E.E., Hinganghat S/Dn.

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Quorum Present : 1) Shri Shivajirao S. Patil,  
Chairman.  
  
2) Shri N.V.Bansod  
Member  
  
3) Mrs. V.N.Parihar,  
Member, Secretary

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**ORDER PASSED ON 03.04.2017.**

1. The Applicant filed present grievance application before this Forum on 06.03.2017 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Applicant's case in brief is that he applied for Industrial connection for Floor Mill and submitted A-1 form on 09-08-2015. Demand was issued on 28.04.2016. Amount

of demand was paid on 13-06-2016. Test Report was submitted on 27.06.2016. But uptill now supply is not given. Applicant claimed compensation according to Maharashtra Electricity Regulatory Commission SOP Regulation so also claimed release of connection.

3. Non applicant denied the applicant's case by filling reply dated 24.03.2017. It is submitted that applicant submitted A-1 form for the first time on 07-01-2016 and not prior to that. Demand is issued on 28-04-2016. Applicant paid amount of demand on 13-06-2016 and submitted test report on 28-06-2016. It was necessary to install 63 kVA Distribution transformer, 0.18 km HT line and 0.06 km LT line. This infrastructure was not ready. **According to Regulation 4.9 of MERC's SOP Regulation 2014 period for releasing supply is one year** upto 28-06-2017. But this case is filed before expiry of one year stipulated time i.e. 06-03-2017 and therefore yet there is time for releasing the supply and applicant is not entitle for compensation for releasing supply.

4. Forum heard arguments of both the side and perused record.

5. We have perused all the documents on record. Applicant produced one hand written application on which there is date at the bottom but that date is not readable. Applicant produced another application dated 15-10-2016 and 26-10-2016. There is no evidence on record to show that applicant submitted A-1 form on 09-08-2015 or even prior to 07-01-2016. It is duty of applicant to prove his contentions. Considering the evidence on record we hold that for the first time applicant submitted A-1 form on 07-01-2016.

6. Admittedly demand is issued on 28-04-2016. Therefore there is delay in issuing demand for the period 08-02-2016 to 27-04-2016 and applicant is entitled for

compensation for late demand according to MERC's SOP Regulation 2014.

7. Test report is submitted on 28-06-2016. It is necessary to install 63 kVA Distribution transformer, 0.18 km HT line and 0.06 km LT line. Therefore **According to Regulation 4.9 of MERC's SOP Regulation 2014 period for releasing supply is one year** from the date of complete necessary formalities.

8. **In representation no.37/2016 of Shri Gajanan Mahadeo Khadse V/s. Executive Engineer, MSEDCL, Hinganghat decided on 19-09-2016 Hon'ble Electricity Ombudsman Nagpur in para -5 is as under,**

*Para-5:- "It is observed that the respondent received test report on 28-09-2015. Thus, the application of the appellant was complete in all respects on 28-09-2015. As per the submission of the respondent, in order to give electric supply to the appellant, it was necessary to install 63 KVA Transformer and to lay LT line of 0.12 kms. Under R.4.9 of the SOP Regulations, period of one year is granted for supply of electricity. In the present case, electric supply was released to the appellant on 26-07-2016 i.e. before one year from 28-09-2015. As such, the appellant is not entitled to compensation on this count. The forum erred in granting compensation to the appellant by observing that it was necessary to release supply within 90 days from the date of completion of the application".*

9. Therefore all formalities are completed on the date of submission of test report on 27-06-2016 hence it is necessary to release the supply on or before 28-06-2017 and this time period is yet not expired even then applicant claimed compensation for late supply. It is surprise. This claim is premature and therefore no compensation can be granted for releasing the supply. It is necessary for the applicant to wait till 28-06-2017. If supply is not release on or before 28-06-2017 then applicant is only at liberty

to approach to IGRC, if the circumstance and Regulation permit. At this stage this prayer is premature and not tenable at Law therefore deserves to be dismiss.

10. It is a wrong practice in filing bogus premature cases before expiry of stipulated period. It is nothing but necessary harassment of MSEDCL and increasing burden work of the forum. We hope that applicant and other similar likeminded persons shall take note in future and they shall not file premature cases necessary to mislead the forum and to extract big amount from MSEDCL. It is misuse of the said Regulations.

11. Hence the following order.

### **ORDER**

1. Grievance application is partly allowed.
2. Non-applicant is directed to pay compensation to the applicant for delay in issuing demand for the period 08-02-2016 to 27-04-2016 according to MERC's SOP Regulation 2014.
3. Claim for releasing supply, so also claim for compensation for releasing late supply are premature at this stage and not table at law therefore rejected.
4. Applicant is directed not to file premature cases before expiry of stipulated time in future and take serious note of this fact for future.
5. Non-applicant is directed to comply within 30 days from the date of this order.

Sd/-  
(N.V.Bansod)  
MEMBER

sd/-  
(Mrs.V.N.Parihar)  
MEMBER/SECRETARY

sd/-  
(Shivajirao S. Patil),  
CHAIRMAN

