

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

Case No. CGRF(NUZ)/71/2013

Applicant : Smt. Anisha Samir Shaikh,
Bishop Chawl, near Khalashi Line,
Motibagh,
NAGPUR.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
MSEDCL,
NAGPUR.

Quorum Present : 1) Shri. Shivajirao S. Patil
Chairman,

2) Adv. Subhash Jichkar,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER PASSED ON 18.6.2013.

1. The applicant filed present grievance application before this Forum on 29.4.2013 under Regulation 6.5 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. The applicant's case in brief is that her representation No. 32/13 is pending before Hon'ble Electricity Ombudsman Nagpur. Notice of case is received to the applicant. On 10.4.2013 at 10.30, officers of M/s. SPANCO disconnected electricity supply of

the applicant without any statutory notice under section 56 of Electricity Act 2003. Therefore electricity supply may restored and applicant also claimed compensation of Rs. 10000/-.

3. Non applicant denied the applicant's case by filing reply Dt. 6.5.2013. It is submitted that previously the applicant filed case No. 133/12 before this Forum, alleging that wrong electricity bills are issued. However, this Forum has dismissed grievance application of the applicant bearing case No. 133/12 as per order dated 8.2.2013 holding that bill issued by the non applicant is perfectly correct and legal. Electricity connection and supply for residential purpose is given to the applicant since 5.5.2012 but since the date of connection the applicant did not deposit single pai towards payment of bill. The amount of Rs. 7030/- is due and outstanding against the applicant. Therefore notice u/s 56 of Electricity Act 2003 dt. 3.4.2013 was issued to the applicant and the said notice is sent by Under Certificate of Posting, through post department on 4.4.2013. Even then the applicant did not pay the arrears and therefore supply was legally disconnected on 26.4.2013. The amount of Rs. 7030/- is due and outstanding against the applicant. The applicant is liable to pay this arrears amount and after payment of entire bill, supply shall be reconnected. Representation No. 32/13 is pending before Hon'ble Electricity Ombudsman Nagpur. Present grievance application may be dismissed.

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

5. M/s. SPANCO had produced copy of notice u/s 56 of Electricity Act 2003 Dt. 3.4.2013 on record. In this notice it is specifically mentioned that amount of Rs. 7030/- is due and outstanding against the applicant and applicant was directed to pay this amount within 15 days from the date of receipt of this notice failing which supply shall be disconnected. Record shows that this notice was sent by U.P.C. through post department under specific date of 5.4.2013. Therefore it is clear that notice of disconnection u/s 56 of Electricity Act 2013 sent by UPC on 5.4.2013. There it is but natural that notice is served legally and therefore disconnection of electric supply of the applicant is legal and in accordance with law.

6. Record shows that this Forum has dismissed grievance application of the applicant vide No. 133/12 as per order Dt. 8.2.2013 and held that bills issued by M/s. SPANCO are perfectly correct, legal and valid. Up till now this order is not set aside by any superior authority as per our knowledge and therefore it is binding on the applicant. Record shows that connection was released to the applicant on 5.5.2012 i.e. before one year but up till now during the period of one year the applicant did not pay any bill and enjoying electric supply without paying any amount.

7. It is also matter of record that applicant claimed interim relief under regulation 8.3 of the said regulations before this Forum and as per order dated 7.5.2013, application for

interim relief to reconnect electric supply is dismissed by this Forum.

8. Disconnection of electricity supply is legal and proper. Therefore there was no fault or negligence on the part of officers of M/s. SPANCO and hence applicant is not entitled to claim any compensation.

9. For these reasons we find no substances and no merits in the present grievance application and it deserves to be dismissed. Hence Forum proceeds to pass following order :-

ORDER

- 1) Grievance application is dismissed.

Sd/-
(Smt.K.K.Gharat)
MEMBER
SECRETARY

Sd/-
(Adv.Subhash Jichkar)
MEMBER

Sd/-
(ShriShivajirao S.Patil)
CHAIRMAN