

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

Case No. CGRF(NUZ)/20/2014

Applicant : Shri Girdhar R. Laddha,
Plot No. 4 A, Wathoda Ring Road,
Nagpur.

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

Quorum Present : 1) Shri Vishnu S. Bute,
Chairman.

2) Adv. Subhash Jichkar
Member.

3) Shri B.A. Wasnik,
Member Secretary.

ORDER PASSED ON 7.2.2014.

1. The applicant filed present grievance application before this Forum on 10.1.2014 under Regulation 6.5 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations). Along with main application, the applicant also claimed interim relief u/s 8.3 of the said regulations.

2. The applicant's case in brief is that applicant is a 3 Phase industrial consumer of non applicant, bearing Consumer No. 410016836811. His supply has been disconnected without prior notice by the non applicant. Hence he requested for interim relief by

way of immediate restoration of power supply. He further demanded adequate compensation and also mentioned that further relief shall be explained at the time of hearing. The date of hearing for interim relief was fixed for 17.1.2014.

3. Non applicant M/s. SPANCO filed reply Dt. 17.1.2014. It is submitted that consumer has filed grievance application regarding disconnection of power supply without intimation. The applicant has also filed grievance application for interim relief against disconnection of power supply without intimation on Dt. 13.1.2014 vide Case No. 5/2014. Hon'ble Electricity Ombudsman has ordered to restore the power supply of the consumer vide order dated 13.1.2014. Hence the power supply of the applicant has been already restored on Dt. 13.1.2014.

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

5. It is observed by the Forum, that the case for hearing on the point of interim relief was fixed for 17.1.2014. However, the applicant has approached Hon'ble Electricity Ombudsman, Nagpur on Dt. 13.1.2014 on the matter of interim relief and Hon'ble Electricity Ombudsman was pleased to direct the non applicant to restore the electricity supply of the applicant immediately. Accordingly, Non applicant restored the electricity supply of the applicant on 13.1.2014 itself. The matter is pending for further hearing before Hon'ble Electricity Ombudsman.

6. It is noteworthy to mention here that as per clause 6.7 (d) of the said regulations, Forum shall not entertain a grievance -

6.7(d) – “Where a representation by the consumer, in respect of the same Grievance, is pending in any proceedings before any court, tribunal or arbitrator or **any other authority**, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority”.

7. Since the representation of the applicant in respect of the same Grievance is pending before Hon’ble Electricity Ombudsman, this Forum has no jurisdiction to entertain the grievance of the applicant before this Forum.

8. For these reasons, Forum proceeds to pass following order: -

ORDER

- 1) Grievance application is dismissed.

Sd/-
(B.A. Wasnik)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Vishnu S. Bute),
CHAIRMAN