

**Maharastra Electricity Distribution Co.Ltd's
Consumer Grievance Redressal Forum
Gondia Zone, Gondia**

Case no CGRF (Gondia) 07/ 2017

Application - Smt-Warsha Dipak Lilwani,
 At-po-Murri,Tah-Dist-Gondia

Non Applicant – Nodal Officer , Exicutive Engineer,
 MSEDCL Gondia. Division, Gondia.

Applicant – Through Representative Mr. Parihar,

Non Applicant – Mr. Dakane, Dy. Ex. Engineer, Rural Gondia.

Quorum Present – 1) Mr. S. K. Wankhede, Technical Member.

 2) Mr. N. V. Bansod, Member.

Order Passed On 18/07/2017

1)The Applicant Filed Present Grievance application before this forum on 5/6/2017 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (CGRF & EO) Regulation, 2006 (Here in after Referred to as said Regulations) .

2)IGRC as well as Non applicant, denied applicant's case and N.A. filed reply dated 29/6/2017.

3) Forum heard argument of both the parties, and perused record.

4) The Grievance of the Applicant is that forum in case No. 4/2017, Ordered for refund of difference of tariff since before 2 years of filing first application by the applicant on dated 29/4/2016 (from 29/4/2014 to 28/4/2016) instead of since date of connection 21/10/2010 to May 2016, and applicant filed representation before Electricity Ombudsman, Nagpur on dated 21/3/2017 challenging order of CGRF and same is under consideration.

5) Non applicants main demand is for refund of electricity duty because , for refund of duty there is no period of limitation, Prescribed in the Electricity Act 2003 & SOP Regulation 2014.

6) During Hearing, Applicant's representative stated that his earlier case No 4/2017 is for refund of Tariff difference and new grievance is regarding refund of electricity duty from date of connection till his application.

7) Non Applicant in his reply stated that as per order of the forum 2 years difference of tariff and electricity duty is refunded and same is confirmed by the applicant but electricity duty of commercial billing cannot be refunded.

8) On perusal of Application dated 20/01/2017 in case no. 4/2017, It is clear that applicant's demand was for refund of electricity duty as per application and refund of excess amount that is difference of commercial & Industrial Tariff and SOP compensation for delay in refund.

9) As stated by applicant in above para 4 and order of the forum is implemented by the non applicant, The contention of applicant for refund of electricity duty again for earlier period i.e. 20/10/2010 to 28/4/2014 before the forum is not maintainable because forum has ordered that claim is bar by limitation, and appeal is pending before Electrical Omdustman, Nagpur.

Hence as per regulation 6.7 read with (c) & (d) of MERC (CGRF & EO) regulation 2006, The Grievance application is not maintainable and deserves to be dismissed as cannot be entertain by the forum.

Still if applicant feels that his grievance is not redressed, applicant is at liberty to raise un-redressed points before Electrical Ombudsman , Nagpur, by way of amendment in representation if he so desires.

Order

1) Grievance application is dismissed.

2) No order as to cast.

Sd/-

Shri. S K Wankhede
(Technical Member)

Sd/-

Shri. N V Bansod
(Member)