

**CONSUMER GRIEVANCES REDRESSAL FORUM;**  
**MSEDCL NAGPUR (RURAL) ZONE NAGPUR**  
**COMPLAINT NO. 88/2013**

Shri Shamrao Pandurang Anantalwar  
At.Po.Sawali  
Tq.Sawali  
District - Chandrapur.

**Complainant**

,,VS.,

1. Executive Engineer,  
MSEDCL,O&M Division,  
Chandrapur.

2. Executive Engineer/Nodal Officer,  
I. G. R. C., Circle Office,  
MSEDCL,Chandrapur.

**Respondents**

Applicant represented by

1) Shri Rajesh Shamrao Anantalwar, son of the applicant.

Respondents represented by

1) Shri V.P.Deshpande , Dy.Exe.Engineer, C'pur  
2) Shri D.V.Mahokar, Assistant Engineer, Sawali  
3) Shri S.S.Koltey, Asstt.Law Officer, Chandrapur

**CORAM:**

Shri Vishnu S. Bute, Chairman.  
Adv. Gauri D. Chandrayan, Member

**JUDGEMENT**

**(Delivered on this 13<sup>th</sup> day of November, 2013)**

2. Applicant Shri Shamrao Pandurang Anantalwar r/o Sawali, Tq.Sawali is an agricultural consumer no.453080070084. It is alleged that the electricity supply to his agricultural pump was interrupted from 15-03-2012. He approached the distribution licensee MSEDCL (hereinafter referred to as, the respondent). However his complaint was not attended. So he informed the higher authorities of the respondent. Eventhen cognizance of his complaint not taken. It is the contention of the applicant that since his

fuse off call was not attended by the respondent during the specific period he is entitled for compensation. He approached the IGRC Chandrapur on 04-04-2013. As per the applicant the IGRC Chandrapur heard his case however the order was not passed. He presented an application in annexure A before this Forum on 21-09-2013. The applicant presented the Xerox copy of annexure X. On perusal of the same it reveals that he presented an application on 04-04-2013. So in view of the provisions contained in Regulation 6.4 of the MERC (CGRF & E.O.) Regulations 2006 the case was registered.

3. A notice was given to the respondent. The respondent submitted reply under no.EE/O&M/CHP/Tech/5337 dated 19-10-2013. The case was fixed for personal hearing on 24-10-2013. Shri Rajesh Shamrao Anantalwar, the son of the applicant, was present. There was nobody present on behalf of respondent. So as per the request of the applicant he was heard. The applicant told that he had no objection to hear the respondents later on. Thereafter Shri Koltey, Assistant Law Officer, Shri Deshpande, Dy.Executive Engineer and Shri Mahokar, Assistant Engineer appeared for the respondents. On perusal of the record it was seen that the IGRC had not passed the order. The respondents were directed to produce the copy of the order of IGRC Chandrapur. The hearing was adjourned to 11-11-2013.

4. On 11-11-2013 neither the applicant nor his representative was present. Shri Koltey, Assistant Law Officer, Shri Deshpande, Dy.Executive Engineer and Shri Mahokar, Assistant Engineer were present for the respondent. They produced the copy of the order dated 01-11-2013 passed by the IGRC Chandrapur. They were heard.

5. Before going into merits of the case, it is necessary to examine the tenability of the case.

As per the applicant the power supply to his agricultural pump set discontinued from 15-03-2012. He registered the written complaint on 17-07-2012, 07-08-2012, 10-08-2012, 20-08-2012 & 10-09-2012. Finally the power supply was restored on 15-09-2012. The applicant produced one Xerox copy of the bill. It is of June, 2012. It pertains to the agricultural pump of 3 HP. The applicant admitted in his application that the power supply to his 3 HP pump set was restored on 15-09-2012.

It is seen from the record that the applicant approached the IGRC for compensation on 04-04-2013. The applicant stated that he approached the respondent on 12-11-2012. However that application is of Shri Rajesh Shamrao Anantalwar and his case has already been decided separately.

6. The respondents raised the objection that the application for compensation is barred by limitation in view of the provisions of Regulation 12.2 of the MERC ( standard of performance of distribution licensee, period for giving supply and determination of compensation) Regulations 2005.

7. We have perused the record and the provisions of Regulation 12.2. Proviso to Regulation 12.2 reads as under,

*“ Provided also that no claim for compensation shall be entertained if the same is filed latter than a period of sixty days from the date of rectification of the deficiency in performance standard.”*

The applicant admitted that the power supply was restored on 15-09-2012. He approached the IGRC on 04-04-2013. So it is clear that the applicant applied for compensation after a period of sixty days. So the application is clearly time barred. The applicant also mentioned in the application that the power supply to his 5 HP pump set was not restored on 15-07-2012. However on perusal of the bill of consumer no.453461080353 the pump belongs to Shri Rajesh Shamrao Anantalwar. And his case has been decided separately. It is true that in case no.2 / 2013, this Forum recorded the observation that the order passed in that case pertains to the grievance of Shri Rajesh Shamrao Anantalwar only. That time the application received in the Forum was signed by Shri Rajesh and Shri Shamrao also. So only with view to clarify the position the observation was recorded. However the observation is not useful to the applicant in the instant case.

In view of the facts and circumstances discussed above, we pass the following order.

**ORDER**

- i) The grievance application No.88 of 2013 is hereby dismissed since it is time barred.
- ii) The parties to bear their own costs.

Sd/-  
(Adv.Gauri D.Chandrayan)  
**MEMBER**

Sd/-  
(Vishnu S. Bute)  
**CHAIRMAN**

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR**  
**(Nagpur Dtd.13<sup>th</sup> day of November, 2013)**

**CONSUMER GRIEVANCE REDRESSAL FORUM**  
**NAGPUR ZONE (RURAL) M. S. E. D. C. L.**

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cgrfnz@gmail.com

**(O) 0712- 2022198**

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NO. CGRF/NZ/

Date :

Certified copy of order dated 13<sup>th</sup> November,,2013 in Case No.88 / 2013 is enclosed herewith.

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

To,  
Shri Shamrao Pandurang Anantalwar. At.Po.Tq.Sawali, Dist.Chandrapur.

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.Chandrapur
2. The Executive Engineer,C.C.O&M Dn., MSEDCL, Chandrapur  
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

