

29-10-2013. However he has not received the order till today. The applicant presented the instant application under the provisions contained in Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006 on 09-01-2014.

3. The copy of the application was given to the respondent. The respondent was directed to submit parawise reply. The respondent submitted reply under no.EE/O&M /H'ghat/Tech/530 dated 24-01-2014. The case was fixed for personal hearing on 03-03-2014. Shri B.V.Betal, authorized representative was present for the applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat & Shri V.M.Hedao, Assistant Engineer, Hinganghat (Rural), represented the respondent. Both the parties were heard.

4. Shri Betal argued that the employees of the respondent company removed the jumpers from the pole. So the power supply to the agricultural pump of the applicant stopped w.e.f. 29-07-2012. He made oral complaint. However no cognizance was taken. So a written complaint was submitted on 29-09-2012. The respondent restored the power supply on 30-10-2012. As there was no power supply the applicant had to suffer a lot of damage to his agricultural produce. The applicant may be awarded compensation as per the provisions of the SOP for the period from 29-07-2012 to 30-10-2012. The applicant submitted an application on 05-12-2012 & made the compliance of the provisions of Regulation 12.2.

The contention of the respondent that the power supply could not be restored due to heavy rain has no force. There is no evidence on record in this regard.

Shri Betal strongly opposed the letter dated 21-01-2014 produced by the respondent. He stated that the applicant still wants to contest the matter. He wants the compensation.

5. In reply Shri Hedao, Assistant Engineer, reiterated the reply dated 24-01-2014. It was further stated that the application is time barred. The applicant had not submitted any survey or inspection report of any competent authority. As per the applicant the power supply to his agricultural pump discontinued during 29-07-2012 to 30-10-2012. The complaint from the applicant received on 29-07-2012. After enquiry it was found that poles were collapsed due to storm & heavy rains. It was a rainy season. So it was not possible to transport the material to the site. The situation was beyond the control of the respondent. So as per the provisions contained in Regulation 11.1 the responsibility can not be fastened on the respondent. The situation improved in the month of August. The respondent erected the poles, the wires were laid and the supply was restored on 11-08-2012. The applicant is not entitle for any compensation. At the time of hearing the respondent produced xerox copy of a letter. It is stated in the letter that the applicant himself told the respondent to carry out the work to lay the electric line after rainy season.

It was further stated by the respondent that the power supply was restored on 11-08-2012. However the applicant submitted an application to comply the provisions of Regulation 12.2 on 05-12-2012. The applicant had not submitted his claim for compensation within sixty days. As such the applicants claim for compensation is time barred.

Finally the respondent requested to dismiss the application.

6. We have perused the record. We have heard the arguments advanced by both the parties carefully. As per the applicant the power supply to his agricultural pump disrupted w.e.f.29-07-2012. The respondents have not objected the claim any way. So we hold that the power supply discontinued on 29-07-2012.

As per the applicant the power supply was restored on 30-10-2012. However according to the respondent the power supply was restored on 11-08-2012. At the time of hearing the respondent produced Xerox copy of a letter. It bears the signature of the applicant. The applicant himself admitted that the power supply was restored on 11-08-2012. The applicant has not produced any other cogent evidence to show that the power supply was restored on 30-10-2012. So we hold that the power supply was restored on 11-08-2012.

The applicant submitted an application to comply the provisions of Regulation 12.2 on 05-12-2012.

Proviso to Regulation 12.2 reads as under,

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

In the instant case the power supply was restored on 11-08-2012. The applicant presented the claim for compensation on 05-12-2012. So it is clear that the applicant failed to comply the provisions contained in Regulation 12.2 within the prescribed time limit.

In view of the aforesaid discussion, in our considered view, the applicant is not entitle for compensation.

Since the applicant is not entitle for compensation, other points raised by the applicant need no discussion.

In view of the situation discussed above, we pass the following order.

ORDER

- i) Application No.02 of 2014 is hereby dismissed.
- ii) The parties to bear their own cost.

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

Sd/-
(Ms.S.B.Chiwande)
MEMBER SECRETARY

Sd/-
(Vishnu S. Bute)
CHAIRMAN

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR
(Nagpur Dtd.06th day of March, 2014)

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440013

Email.id- cgrfnz@mahadiscom.in
cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 06th March, 2014 in Case No.02 / 2014 is enclosed herewith.

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

To,
Shri Waman Gulabrao Urade, At.Ladki, Po.Pardi,
Tq.Hinganghat, Dist.Wardha.

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

