

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM  
M. S. ELECTRICITY DISTRIBUTION CO.LTD.  
(NAGPUR ZONE – RURAL) NAGPUR.**

Application/Case No. CGRF/NZ/Rural/ **35** of 2006

Applicant : Shri Tularam Laluji Shendare, At & Post : Berdipar,  
Kachewani, Taluka-Tiroda, District-Gondia.  
Non-applicant : 1.Executive Engineer/Nodal Officer, I.G.R.C.,  
Circle Office, M.S.E.D.C.L., **Gondia.**  
2.Executive Engineer,C.C.O&M Dn., M.S.E.D.C.L.,  
**Gondia.**

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Quorum: 1.Shri N. J. Ramteke, Chairman  
2.Shri S. J. Bhargava, Member/Secy.  
Appearance. : 1.Shri A.W.Sathe, D.A.(R)  
For Non-Applicants.

**ORDER**

( Passed this 28<sup>th</sup> day of December, 2006)  
( Per Shri N.J.Ramteke, CHAIRMAN)

Applicant presented this application under Schedule 'A' of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter called the Regulations), to this Forum on 30/11/2006. Applicant is Shri Tularam Laluji Shendare with meter No. 9000929716 and Consumer No. 431300501550. The M.S.E.D.C.L. issued the bills in the name of Shri Tularam Shandare as he is the meter holder and the consumer. It is seen from the application in Schedule 'A' that one Shri Vinod Fulchand Shendare signed on this application and also under the declaration. It is also seen that Applicant appointed Shri Rafique Rahim Sheikh as his representative. But Shri Rafique Rahim Sheikh never appeared before the Forum during the course of proceedings. It is also pertinent to note that there is no signature of Shri Rafique Rahim Sheikh under the declaration. It means Shri Vinod Shendare is not a authorized person to make this application on behalf of Shri Tularam Laluji Shendare. There is no any authority letter in the name of Shri. Vinod Shendare.

The sole demand of Applicant is to correct the faulty reading showing excessive bill, take out the difference and issue the corrected bill as the bill issued on 14/1/2006 is faulty showing Rs. 5560/-. Applicant challenged this bill.

As required under the Regulations, acknowledgement was given to Applicant, parawise comments of the non-Applicant and Nodal Officer were called. The non-Applicant submitted their comments under letter dated 20/12/2006 . The non-applicants

authorized Shri A.W.Sathe, D.A.(R) to make the submissions in this case and submit the letter dated 20/12/2006. At the time of submission of the comments of the non-applicants, Shri Sathe, representative of the non-applicants, brought to the notice of the Forum the endorsement of Shri Vinod Shendare (Record page 14). This endorsement reveals that the non-applicants corrected the bill to Rs. 400/- and the same has been paid by the applicant on 14/12/2006. This endorsement also shows that the complaint has been solved by the non-applicants.

The Forum was not satisfied by this endorsement and desired to know the facts about the relief as given to the Applicant. The Forum issued the notices to both the parties for hearing (Record page 15). Notices are served on both the parties. The date for hearing was fixed on 28/12/2006. Shri A.W. Sathe, Representative appeared on behalf of the non-Applicant on 28/12/2006 before the Forum. None was present for Applicant. However, Shri Vinod Fulchand Shendare sent a letter dated 20/12/2006 to this Forum (Record page 16). This letter shows that Applicant approached the Forum and, therefore, non-Applicant revised the bill. Shri Vinod Shendare requested the Forum for grant of Rs. 3400/- as compensation for the mental harassment and rounds to the offices of M.S.E.D.C.L.

The Forum perused the record, heard Shri Sathe, representative of non-Applicant and come to the conclusion as under.

It is a matter of fact that the consumer is Shri Tularam Lajuji Shendare whereas application in schedule 'A' is signed by Shri Vinod Shendare. There is also no authority letter in the name of Shri Vinod Shendare. Shri Rafique Rahim Sheikh never appeared as representative of Applicant before this Forum. As far as merit of the case is concerned, the Forum noticed that the cause of action arose in terms of Regulations 6.6 as the complaint was given to the non-Applicant on 18/2/2006. The Electricity supply was never disconnected. It is seen from the bill dated 14/1/2006 (Record page 4) that the meter was faulty since January, 2006. Shri Sathe informed the Forum that this faulty meter was replaced by new meter in April, 2006 with meter No. 9001983745. Thus it is clear that the M.S.E.D.C.L. issued corrected revised bill of Rs. 400/- to Applicant. The Applicant paid this amount on 14/12/2006. There is no direct loss to Applicant as he has not paid any amount in excess. As per Regulation 8.2(c), the consumer is entitled for compensation for any loss or damage suffered by the consumer. However, as per the proviso to this clause, the loss should not be indirect, consequential, incidental etc. In the instant case, there is not direct loss to the Applicant and, therefore, he is not entitled for any compensation. The Applicant also could

not establish his case about the financial loss due to various rounds to the office of M.S.E.D.C.L. It may not be out of place to mention here that Shri Vinod Shendare submitted this Application in schedule 'A' to this Forum and made the correspondence with the Forum without any authority from the Applicant (Consumer). In view of the stringent provision under Supply Code and Standard of Performance,2005 , the concerned officers of the M.S.E.D.C.L. should be careful and diligent in respect of the faulty meters and the reading therein.

With the above observations, the Forum pass the following order.

### **ORDER**

- 1) Application is rejected.
- 2) Applicant is not entitled for any damage or compensation.
- 3) Parties to bear their own costs. .

CHAIRMAN

MEMBER-SECY.

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

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No. CGRF/NZ/R/ **199**

Date: **29<sup>th</sup> Dec,2006**

This is to certify that this is the true and correct copy of the above order.

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

Copy to :

1. Shri Tularam Laluji Shendare, At & Post -Berdipar, Kachewani, Taluka Tiroda,Dist- Gondia.
2. The Chief Engineer, Nagpur Zone (Rural) MSEDCL, Vidyut Bhavan, Katol Road, Nagpur.
3. The Nodal Officer/E.E.(Admn),Circle Office, MSEDCL,Gondia.
4. The E.E., C.C.O&M Dn., MSEDCL, Gondia for information and necessary action.

Address of - Electricity Ombudsman is given as below.

Office of - The Electricity Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606-608, Keshava Building,  
Bandra-Kurla complex,  
MUMBAI- 400 051

TEL.- 022 - 26592965 (Direct)  
022 - 26590339 (Office)