

It was argued on behalf of the applicant that he is a domestic consumer. Electric meter installed at his residence was not recording the consumption properly. So he submitted the written application to MSEDCL in August 2011. The representative of the respondent inspected of the spot on 02-11-2011. However instate of giving any relief to the applicant the respondent carried out the panchnama. It stated therein that the wheel was not moving. The lead seal was broken & the consumer is being given a bill of zero unit for two years. The respondent did not mention anywhere about the theft of the electricity. It is stated that the respondent prepared provisional assessment. However no such order is given to the applicant.

The applicant finally requested that the IGRC orders dated 06-05-2013 & 13-03-2013 may be set aside. The respondent may be directed to refund the amount of Rs.18985=86 deposited by the applicant. Penalty may be impose on the officer who initiated such wrong & illegal action. The applicant also claim compensation for the instant petition.

The respondent in the written statement stated that the meter installed at the residence of the applicant was inspected on 02-11-2011. It was noticed that the lead seal was broken. The wheel was not moving. The applicant was being given a bill of zero unit consumption. So a panchnama was carried out. An action under section 126 of the Indian Electricity Act 2003 was initiated against the applicant.

Provisional assessment of Rs.16093 was prepared and it was included in the electricity bill of December 2011.

The applicant did not raise any objection. He deposited the amount. This show that he admitted his fault.

The respondent initiated the action under section 126. So the Forum should not entertain the application. It is also stated that the application is time barred.

We have heard the argument of the applicant. We have perused the record carefully.

The respondent carried out the inspection on 02-11-2011. The provisional assessment is done on 04-11-2011. The amount assessed provisionally was included in the bill issued in December 2011. Naturally the cause of action arosed in December 2011.

Regulation 6.6 of the MERC (CGRF & EO) Regulations, 2006 reads as under,

6.6 *The Forum shall not admit any Grievance unless it is filed within two (2) years from the date on which the cause of action has arisen.*

In view of the aforesaid provision it is clear that the grievance application is time barred. So we pass the following order,

ORDER

- i) Application No.33 of 2014 is hereby dismissed.
- ii) The parties to bear their own cost.

Sd/- (Adv.Gauri D.Chandrayan) <u>MEMBER</u>	Sd/- (Ms.S.B.Chiwande) <u>MEMBER SECRETARY</u>	Sd/- (Vishnu S. Bute) <u>CHAIRMAN</u>
<u>CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR</u> <u>(Nagpur Dtd.25th day of April, 2014)</u>		

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 29th April, 2014 in Case No.33 / 2014 is enclosed herewith.

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

To,
Shri Sushil Ashok Bisne Near Shanti Bhuwan Vallabhbhai ward Ramnagar Gondia
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.Gondia
2. Executive Engineer,C.C.O&M Dn., MSEDCL, Gondia.
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

