

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 48/2014

Shri Arun Natthuji Dethe
At.Daulatpur, Po.Waigaon
Tq.Samudrapur
Dist.Wardha

Complainant

,,VS.,

1. Executive Engineer,
MSEDCL,O&M Division,
Hinganghat.
2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL,Wardha.

Respondents

Applicant represented by	1) Nobody present for the applicant.
Respondents represented by	1) Shri M.S.Vaidya, Executive Engineer, Hinganghat 2) Shri H.M.Patil, Assistant Engineer, Samudrapur

CORAM:

Shri Vishnu S. Bute, Chairman.
Adv. Gauri D. Chandrayan, Member
Ms. S. B. Chiwande, Member-Secretary.

JUDGEMENT

(Delivered on this 07th day of July, 2014)

2. Shri Arun Natthuji Dethe r/o. Daulatpur, Po.Waigaon, Tq.Samudrapur Dist. Wardha (hereinafter referred to as, the applicant) had presented this application on 29-05-2014. The applicant contended that he submitted an application to the distribution licensee MSEDCL (hereinafter referred to as, the respondent) for new connection to his agricultural pump set. According to the applicant, he deposited the required amount and he also submitted the test report. However the respondent had not given him the connection till today. He approached the IGRC Wardha on 10-01-2014. According to

the applicant he has not received any order from the IGRC. Hence this application.

3. A copy of the application was given to the respondent. The respondent submitted parawise reply under no.EE/O&M/H'ghat/Tech/2508 dated 19-06-2014. The case was fixed for personal hearing on 07-07-2014. Neither the applicant nor his representative was present. However the authorized representative Shri N.N.Behare informed by post that the case may be decided on the basis of available record. Shri Vaidya, Executive Engineer, Hinganghat and Shri H.M.Patil, Assistant Engineer represented the respondent. They were heard.

4. According to the applicant he submitted an application for power supply to his 3 HP agricultural pump set. He deposited the required amount of Rs.6760/- on 03-12-2007. He submitted the test report on 10-03-2008. However he has not submitted any evidence in support of his aforesaid submissions. The applicant further submitted that the connection was not released. When he enquired to the respondent it was told that the test report was missing. So he again submitted the test report on 17-03-2010. He submitted one Xerox copy of the receipt received from the office of the respondent. It is dated 17-03-2010.

The applicant submitted that the respondent has not released the connection till now. So the respondent may be directed to refund the amount with interest. Furthermore he may be given the compensation for the period from 17-03-2010 till today.

5. Shri H.M.Patil referred to the reply dated 19-06-2014. At the out set he raised the objection that the application is time barred. According to the applicant he

submitted the test report on 17-03-2010. As per the provisions of Regulation 6.6 the applicant should have approached the Forum within the period of 2 years from 17-03-2010. The applicant failed to submit the grievance within the prescribed time limit. So the application may be dismissed. Shri Patil gave his submissions on other points also.

6. We have perused the record. We have heard the submissions advanced by the respondent.

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

Regulation 6.6 of the MERC (CGRF & E.O.) Regulations 2006 reads as under,

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 the instant case according to the applicant he had submitted the test report on 17-03-2010. He submitted an application before this Forum on 29-05-2014. Naturally, the applicant approached this Forum after the expiry of 2 years. So the application is barred by limitation. Hence it can not be entertained by this Forum.

7. So we pass the following order,

ORDER

- i) The application No.48 of 2014 is hereby dismissed, as it is time barred.
- ii) The parties to bear their own cost.

Sd/- (Adv.Gauri D.Chandrayan) **Sd/-** (Ms.S.B.Chiwande) **Sd/-** (Vishnu S. Bute)
MEMBER **MEMBER SECRETARY** **CHAIRMAN**
CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR
(Nagpur Dtd. 07th day of July, 2014)

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.
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NAGPUR – 440013

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cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 07th July, 2014 in Case No.48 / 2014 is enclosed herewith.

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

To,
Shri Arun Natthuji Dethe, At.Daulatpur, Po.Waigaon, Tq.Samudrapur, 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. 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