

**CONSUMER GRIEVANCES REDRESSAL FORUM;**  
**MSEDCL NAGPUR (RURAL) ZONE NAGPUR**  
**COMPLAINT NO. 521/2012**

Shri Patru Domaji Shende  
Mz.Yesapur At.Chikhlii, Po.Kora  
Taluka- Samudrapur  
District - 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 Shri B.V.Betal

Respondents represented by 1) Shri S.M.Vaidya, Executive Engineer, Hinganghat.  
2) Shri D.W.Bhakare, Assistant Engineer, Samudrapur

**CORAM:**

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

**JUDGEMENT**

**(Delivered on this 31<sup>st</sup> day of January, 2013)**

- 1) The applicant presented this grievance application in schedule 'A' on 05-11-2012. The applicant claimed compensation under rule 4.5 of the MERC Regulation 2005. The notice was issued to the respondent. The respondent submitted reply under no.EE/O&M/H'ghat/Tech/7709 dtd.29-11-2012. The case was fixed for personal hearing on 26-12-2012. Shri B.V.Betal, a representative was present for the applicant. Shri M.S.Vaidya, Executive Engineer Hinganghat and Shri D.W.Bhakare,

Assistant Engineer, Samudrapur represented the respondent. Both the parties were heard.

2) Shri B.V.Betal argued that the applicant submitted an application for connection to his agricultural pump set on 07-03-2011. A demand note was given to him on 23-03-2011. The applicant deposited the demand amount on 05-04-2011. He submitted the test report on 16-02-2012. However the connection to his pump set is not released till today. So the compensation as per S.O.P. Regulation may be awarded.

3) It was further stated that Rs.30,000=00 + Rs.20,000=00 may be awarded for physical and mental harassment, Rs.2000=00 may be awarded towards travels expenses and Rs.3000=00 may be awarded for the cost of the instant proceeding.

4) The representative further stated that the applicant installed the pump set and all accessories on his well. Nobody came on 09-08-2012 for the spot inspection. One Shri Rajurkar came to the house of the applicant on 09-08-2012 and took the signature of the applicant on a blank paper. The applicant has not put his signature on any spot inspection report..

5) Shri M.S.Vaidya referred the reply dtd.29-11-2012. The respondent admitted the dates of application, demand note, date of payment and the date of submission of test report.

6) It was further stated that to provide the power supply to the applicant, erection of L.T. line admeasuring 0.24 kilometer is necessary. The name of the applicant is entered in paid pending list of 2011-2012 and his seniority number is 72.

7) It was also stated that the representative of the respondent visited the agricultural land of the applicant. At the time of spot inspection, it was noticed that the pump set and other required accessories of the installation as per norms were not available on the spot. So the test report submitted by the applicant was not proper. It was cancelled. This was informed to the applicant.

8) The respondent also submitted one xerox copy of the application dtd.19-12-2012. The application is addressed to the Assistant Engineer and it is mentioned therein that the applicant has no grievance about the release of the power supply connection.

9) The respondent also stated that the applicant is now taking the connection from some other scheme and the estimate therefor has also been prepared.

10) As such the applicant is not entitle any compensation. The application may be dismissed with cost.

11) We have perused the record. We have heard the argument of both the parties. The respondent admitted that the applicant submitted the application and the test report was also submitted on 16-02-2012. However the respondent visited the agricultural land of the applicant on 09-08-2012. As per the report of the respondent the pump set, meter box and the wiring was not available on the spot at the time of spot inspection. So the respondent raised doubt about validity of the test report dtd.14-02-2012. In our considered opinion it will not be proper to direct the respondent to release the connection. The respondent should once again give the advance notice to the applicant and then carry out the spot inspection. The applicant should produce the test report denovo.

12) It was also stated by the respondent that the applicant is processing the application for connection from some other scheme. The copy of the estimate dtd.24-12-2012 is placed on record. If it is so there is no propriety in the instant proceeding.

In view of the aforesaid position, we pass the following order, by majority.

### **ORDER**

- 1) The application no.521/2012 is partly allowed.
- 2) If the applicant wish to proceed the instant proceeding he should produce the test report denovo,
- 3) No order as to cost.

Sd/-	Sd/-	Sd/-
<u><b>MEMBER</b></u>	<u><b>MEMBER SECRETARY</b></u>	<u><b>CHAIRMAN</b></u>
<u><b>CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR</b></u>		
<u><b>(Nagpur Dtd.31<sup>st</sup> day of January, 2013)</b></u>		