

**Maharashtra State Electricity Distribution Co. Ltd.'s  
Consumer Grievance Redressal Forum  
Nagpur Urban Zone, Nagpur**

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**Case No. CGRF(NUZ)/118/2012**

Applicant : Shri Surendra Karade,  
Plot No. 22, Sumedhnagar,  
Nari Ring Road,  
Nagpur.

Non-applicant : Nodal Officer, (Distribution Franchisee)  
The Superintending Engineer,  
Nagpur Urban Circle, MSEDCL,  
NAGPUR.

Quorum Present : 1) Shri. Shivajirao S. Patil  
Chairman,  
  
2) Adv. Shri Subhash J. Jichkar,  
Member,  
  
3) Smt. Kavita K. Gharat  
Member Secretary.

**ORDER PASSED ON 20.11.2012.**

The applicant filed present grievance application before this Forum on 19.11.2012 under Regulation 6.5 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations). In the same Grievance application, the applicant also claimed Interim relief under regulation 8.3 of the said regulation.

1. The applicant's case in brief is that previously this Consumer Forum has passed order in his case No. CGRF(NUZ)/85/10 Surendra Karada Vs. M.S.E.D.C.L. on Dt. 1.1.2011 but the said order has not been complied by the non applicant and recently disconnected the supply on 19.11.2012 without any notice. Therefore the applicant claimed to reconnect the electricity supply.

2. Matter was fixed for hearing on 20.11.2012. Son of the applicant Shri Rajesh Karade being the representative was present. Shri Maindalkar was present on behalf of M/s. SPANCO. Shri Gundalwar, Acctt. And Shri Gotmare, A.E. appeared on behalf of M.S.E.D.C.L. Forum heard arguments of both the sides and perused the record.

3. Record shows that order of this Forum in Case No. 85/10 decided on 1.1.2011 is duly complied by the non applicant. As per the directions in the said order, bill of the applicant was revised and CPL of the applicant shows that credit of Rs. 6056.94 is already given to the applicant in February 2011 itself. Even then since 15.2.2010, the applicant did not pay any electricity bill till today. Therefore since last 33 months applicant is not paying electricity bill and utilizing the electricity without any payment. Record also shows that non applicant had issued notice u/s 56 of electricity act 2003 on Dt. 2.11.2012 mentioning therein that amount of Rs. 34324.79 is due and outstanding and if this amount is not paid within 15 days supply shall be disconnected.

4. On behalf of non applicant it is argued that officers of M/s. SPANCO went to applicant to serve this notice but the applicant refused to accept it. Non applicant had produced copy of the said notice on record. On the bottom of this notice there is specific endorsement “refused to accept” noted by the officers of non applicant under their signature. Needless to say that refusal of notice amounts to valid service.

5. Report shows that though non applicant had complied the order of the forum in case No. 85/10 decided on 1.1.2011 even then the applicant attempted to mislead the Forum. Though bill of the applicant was revised even then the applicant is not paying any amount since 15.2.2010 and therefore it is absolutely illegal. The applicant is also not receiving notice u/s 56 of Electricity Act 2003.

6. In our opinion, there is no case in favour of the applicant and grievance application deserves to be dismissed.

7. Today the applicant filed written note of arguments and in this written note of arguments claimed compensation of Rs. 10000/-. However, no compensation is claimed in the grievance application Schedule ‘A’. As no compensation is claimed in grievance application now that prayer can not be considered, subsequently by way of after thought at the stage of filing written note of arguments. Secondly there is neither fault on the part of the non applicant nor any negligence hence compensation can not be granted.

8. For these reasons Forum find no substance and no merits in this grievance application and application deserves to be dismissed.

9. Resultantly, Forum proceeds to pass following order :-

ORDER

1) Grievance application is dismissed.

Sd/-	Sd/-	Sd/-
(Smt.K.K.Gharat)	(Adv. Shri .Subhash Jichkar)	(ShriShivajirao S.Patil)
MEMBER	MEMBER	CHAIRMAN
SECRETARY		