

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

Case No. CGRF(NZ)/81/2016

Applicant : Shri Vitthal L.Bhalkar
At.Po.Hinganghat
Tq.Hinganghat,
Dist.Wardha.

Non-applicant : Nodal Officer,
The Executive Engineer,
O&M Division,MSEDCL,
Hinganghat.

Applicant's Representative :- Shri Betal,

Respondent by:- 1) Shri Nitnaware,E.E., Hinganghat Dn.
2) Shri Awachat, Dy.E.E., Hinganghat (R) S/Dn.

Quorum Present :

- 1) Shri Shivajirao S.Patil
CHAIRMAN
 - 2) Mrs.V.N.Parihar
Member/Secretary
 - 3) Shri N.V.Bansod,
Member
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ORDER PASSED ON 28.07.2016.

1. The applicant filed present grievance application before this Forum on 16.06.2016 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).
2. Non applicant, denied applicant's case by filing reply dated 16.07.2016.
3. Forum heard arguments of both the sides and perused record.

4. Applicant filed application for agricultural connection on 17-01-2012. Demand is given to the applicant on 18-04-2012. It is true that there was late for issuing demand but applicant did not claim for compensation for delay in demand within 2 years from the date of cause of action. **As per Regulation 6.6 of the said Regulation “The Forum shall not admit any grievance unless it is filed within two (2) years from the date on which cause of action has arisen”.** For claim of compensation regarding late demand, cause of action arisen on 18-04-2012. However present grievance application is filed on 16-06-2016 therefore it is not within 2 years and therefore compensation for late demand is barred by limitation. Furthermore during the course of argument applicant admitted that he did not claim compensation for late demand. Therefore compensation for late demand can not be granted.

5. Applicant paid amount of demand on 16-02-2013 and test report is given on 08-02-2013. But up till now electricity supply is not given. Infrastructure is not ready. Therefore limitation for issuing of connection is 90 days from the date of submission of test report. Test report is given on 08-02-2013 therefore it was necessary to issue connection within 90 days i.e. on or before 08-05-2013 but up till now electricity supply is not given. Therefore it is delay in electricity supply since 08-05-2013 till date of connection.

6. Non-applicant argued that poles are kept in the field of neighbourer and works are laying but neighbouring owners did not allow to complete the work. However in our opinion this reason is not legal. MSEDCL can lodge report in Police Station and can take action against any person who will obstruct work of public servant. But no action is taken against the neighbourer by MSEDCL. On this point agricultural connection can not be delayed. It is bogus ground given by MSEDCL.

7. Therefore applicant is entitled for compensation for delay in releasing the connection since 08-05-2013 till the date of connection. It is necessary for MSEDCL to release the connection to the applicant.

8. Hence the following order.

ORDER

1. Application is partly allowed.
2. Non-applicant MSEDCL is directed to release the connection to the applicant within 30 days from the date of this order.
3. MSEDCL is directed to pay compensation to the applicant for delay in issuing connection w.e.from 08-05-2013 till releasing the connection as per MERC's SOP Regulation.
4. Non-applicant is directed to comply within 30 days from the date of this order.

Sd/-

(N.V.Bansod)
MEMBER

sd/-

(Mrs.V.N.Parihar)
MEMBER/SECRETARY

sd/-

(Shivajirao S. Patil),
CHAIRMAN