

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

Case No. CGRF(NZ)/83/2016

Applicant : Shri Anil S.Chavhan
At.Ladki,Po.Pardi
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 07-06-2013 but demand is given to the applicant on 28-08-2013. Applicant did not claim compensation for delay in issuing demand within 2 years from the date of cause of action. **According to 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 24-08-2013 but present application is filed on 16-06-2016. Therefore claim for compensation regarding late demand is barred by limitation hence can not be granted.

5. In this case applicant paid amount of demand on 04-12-2013 but test report is not submitted by applicant. During the course of argument applicant frankly admitted that supply was released without test report. Therefore it is clear that applicant did not submit the test report. Unless and until applicant complete all legal necessary formalities compensation for delay in releasing of connection can not be claimed.

6. It is true that in grievance application of applicant he submitted that he went to submit the test report but MSEDCL refused to take it. However it is very easy to say that test report was refused. If really Test report was refused to accept by MSEDCL then applicant should have sent the test report by registered post A/D. Applicant did not produce any postal endorsement to say test report is refused by MSEDCL. Therefore we find no force in contention in the grievance application that applicant submitted test report but it was not accepted. It is great surprise that till today applicant did not produce even Xerox copy of test report on record to show on what date by which Electrical contractor test report was prepared and there is no copy of test report on record.

We hold that applicant did not submit the test report. During the course of argument also applicant admitted that supply was given without test report. Therefore it is clear that all legal formalities of submission of test report by applicant were not completed. Hence applicant is not entitled for compensation regarding delay in releasing of connection.

7. According to the applicant supply is given on 25-03-2016 but according to MSEDCL supply is given on 31-12-2015. In support of it's contention MSEDCL produced duplicate electricity bill for the month of March-2016 and it shows date of supply is 31 December-2015. Therefore we hold that electricity supply was given to the applicant on 31-12-2015.

8. According to the MSEDCL Electrical contractor submitted test report on 31-12-2015 and it is same date of supply was given.

9. Therefore in our opinion applicant is not entitle for any compensation and grievance application deserves to be dismissed.

10. Hence the following order.

ORDER

1. Grievance application is dismissed.

Sd/-
(N.V.Bansod)
MEMBER

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

sd/-
(Shivajirao S. Patil),
CHAIRMAN