

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

Case No. CGRF(NUZ)/203/2014

Applicant : Shri Deorao Pandurang Nagpure,
Chapegadi, Tq. Kuhi, Distt.
Nagpur.

Non-applicant : Nodal Officer,
The Executive Engin
Division No. I
MSEDCL, N.U.C.,
NAGPUR.

Quorum Present : 1) Shri Shivajirao S. Patil,
Chairman.

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 20.10.2014.

1. The applicant filed present grievance application before this Forum on 22.8.2014 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. The applicant's case in brief is that the applicant applied for Agricultural connection in his field. Demand note is given to him. He paid the amount of demand note in 1997 but even then electricity connection for agricultural purpose is not given to him. Shri Chaturvedi is his neighbour field owner. Electricity connection is given to Shri Chaturvedi, who applied after the application of the applicant but no connection is given to him. Therefore applicant requested to issue electricity connection so also claimed interest on the amount of deposit.

3. Non applicant denied applicant's case by filing reply Dt. 16.9.2014. It is submitted that amount of demand note is deposited on 24.9.1997 in the name of Shri Pandurang T. Nagpure. To give agricultural connection to Shri Pandurang T. Nagpure, it was necessary to erect 2.1 Kms. L.T. line and it was not possible to erect this L.T. line without the permission of Forest department as land in the way was forest land. As there was no sanction or consent from forest department, therefore as per letter No. 1730 Dt. 31.8.2009, it was informed to Shri Pandurang T. Nagpure that without the permission of forest department connection can not be released to him. Shri Pandurang T. Nagpure expired on 28.3.2005 and therefore no new connection can be issued in the name of dead person. As no electricity supply is given to Shri Pandurang T. Nagpure therefore he can not claim any interest.

4. Thereafter Shri Deorao Pandurang Nagpure filed fresh application for agriculture connection in his name in the year 2012. It was sanctioned on 9.7.2012 as per estimate. In that estimate, new 63 kVA transformer and 2.58 kms. L.T. line is provided. Shri Deorao P. Nagpure

deposited S.D. amount on 22.1.2014 and filed test report on 23.1.2014. In waiting list name of the applicant Shri D.P. Nagpure is at Sr. No. 363. Preference will be given to the applicant as per seniority and connection will be provided to him.

5. Forum heard arguments of both the sides and perused the record.

6. In reply of the non applicant it is specifically mentioned that Shri Pandurang T. Nagpure died on 28.3.2005. As there was no sanction from Forest department, connection could not be provided to Shri Pandurang T. Nagpur. It is further mentioned in reply that in the year 2012, applicant Shri Deorao Pandurang Nagpure filed fresh application for connection and as per estimate Dt. 9.7.2012 all formalities are completed. Now the circumstances are changed. Applicant Shri Deorao P. Nagpure deposited S.D. on 22.1.2014 and filed test report on record Dt. 23.1.2014.

7. It is also mentioned in the report of M.S.E.D.C.L. that name of the applicant is at Sr. No. 363 in waiting list and as per seniority connection will be given to him.

8. However, it is noteworthy that Shri Pandurang T. Nagpure was father of the applicant who had applied for electricity connection on 24.9.1997. Therefore while considering seniority in our opinion seniority should be given to the applicant w.e.f. 24.9.1997. Applicant is not stranger but son of Pandurang T. Nagpure who was struggling for electricity

connection since 1997, till his death in the year 2005 for a period of 8 years. Meanwhile connection is given to Shri Chaturvedi. Then M.S.E.D.C.L. produced another ground that connection can not be given in the name deceased person and therefore applicant applied in his own name and sanction was accorded in 2012. However, while fixation of seniority it should be treated that applicant filed his application for connection on 24.9.1997 and considering this seniority connection should be given to the applicant on top priority basis, mentioning his seniority in 1997. Hence the following order : -

ORDER

- 1) Grievance application is hereby partly allowed.
- 2) Non applicant M.S.E.D.C.L. is hereby directed to issue agricultural connection to the applicant considering seniority of the applicant as on 24.9.1997, within 1 month from the date of this order.
- 3) Non applicant to comply within 30 days from the date of this order.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN