

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

Case No. CGRF(NUZ)/105/2015

Applicant : Sk.Habib Sk. Shahaula Mahajan,
New Nandanwan Hasanbagh,
Main Road (551) Chal, Ibrahim bhai,
Backside of Maji Nagarsevak Office,
Nagpur : 400 009.

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

Applicant :- In person.

Respondent by 1) Shri Rody, Nodal Office.
2) Shri Dahasahastra, SNDL Nagpur.

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

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 13.8.2015.

1. The applicant filed present grievance application before this Forum on 23.6.2015 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. Applicant's case in brief is that as per his application for new service connection and payment of demand charges his meter was installed at his premises on 7.1.2015, but service cable is not connected to electric pole and no supply is actually released to the premises but still electric bills on average basis are issued. Therefore he requested for immediate release of supply and withdrawal of bills issued on average basis. He approached to I.G.R.C. I.G.R.C. directed SNDL to release power supply within 7 days from the receipt of the order and further directed to withdraw the amount of fixed charges from 7.1.2015 till the actual release of connection by manual adjustment and average units shall be reverted once the meter reading is fed in I.T. and directed to submit compliance report by 6.5.2015. But even then order of I.G.R.C. is not complied, therefore he approached to this Forum.

3. Non applicant denied applicant's case by filing reply Dated 6.7.2015. It is admitted that new meter is installed on 7.1.2015 but supply was not given for want of infrastructure. Learned I.G.R.C. passed order dated 30.4.2015. After providing infrastructure electric supply is given to the applicant on 6.7.2015 and bills till 5.7.2015 are cancelled and revised.

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

5. We have carefully perused order passed by Learned I.G.R.C. As per this order of Learned I.G.R.C. Dt. 30.4.2015 grievance is completely redressed. It is true that Learned I.G.R.C. sought compliance report by 6.5.2015 but record shows that as per the say of SNDL supply was given on 6.7.2015 and bills are cancelled upto 5.7.2015. Therefore order of Learned I.G.R.C. was not complied within stipulated time. For that purpose applicant is at liberty to file contempt petition to appropriate authority u/s 142 of Electricity Act i.e. MERC. This Forum is not empowered to take action for contempt of order passed by Learned I.G.R.C.

6. Now let us turn to another aspect of the matter. Before this Forum applicant claimed compensation for providing late supply. However, it is noteworthy that while filing the application before I.G.R.C. the applicant did not claim any compensation and for the first time claiming compensation before this Forum. Therefore it is untenable at law. However, we must make it clear that so far as compensation is concerned applicant is at liberty to file fresh application for compensation before Learned I.G.R.C. and if his grievance of payment of compensation is not redressed, he is at liberty to approach this Forum as per rules and regulations if circumstances permit. Hence Forum proceeds to pass following order :-

ORDER

- 1) Grievance application is partly allowed.
- 2) Non applicant is hereby directed to comply order passed by I.G.R.C. and to withdraw bills for non use period and to

give electricity supply to the applicant immediately if it is not so far given.

- 3) Applicant is at liberty to approach to Hon'ble MERC for contempt of I.G.R.C. order if so desired u/s 142 of Electricity Act 2003 if circumstances permit.
- 4) Applicant is also at liberty to approach to I.G.R.C. for compensation regarding late supply of electricity and if his grievance of compensation is not redressed the applicant is at liberty to approach this Forum independently by filing fresh application. In that eventuality this Forum shall decide said matter independently without being influenced by the reasoning and findings given by this Forum in this order.
- 5) Compliance should be reported within 30 days from the date of this order.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN