

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

Case No. CGRF(NUZ)/115/2015

Applicant : Smt. Sunita G. Agrawal,
User Gopal Agrawal,
Ganeshnagar, Ambedkar Ch.,
KANHAN - 440401.

Non-applicant : Nodal Officer,
The Executive Engineer,
(O&M) Division No. I, NRC,
MSEDCL,
NAGPUR.

Applicant :- Shri Gopal Agrawal.

Respondent by 1) The Executive Engineer, Dn.I.
2) Dy. E.E. Kanhan.

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

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 4.9.2015.

1. The applicant filed present grievance application before this Forum on 15.7.2015 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 she filed an application for new service connection before 12 years but connection is not given to her. She filed several applications since 2003 to 2015 but connection is not given to her. She paid amount of demand note Rs. 2690/- on 17.7.2003 and submitted test report but connection is not given. Her house No. is 0590. In that house she had another commercial connection bearing No. 3125 and consumer No. 421820047066, but this meter is not in use since 2007. Average bill of Rs. 2890/- of this commercial connection was given to her which is excessive. Commercial connection was made P.D. Now she has to reconnect electricity supply to commercial connection. Being aggrieved by the order passed by I.G.R.C. Dt. 30.4.2015 she approached to this Forum.

3. Non applicant denied applicant's case by filing reply Dated 21.7.2015. It is submitted that Consumer No. 421820047066 in the name of the applicant was for commercial purpose. On 30.6.2009, this commercial connection was permanently disconnected for non payment of bill of Rs. 14779.81. On application of the applicant in February 2011, in the P.D. final bill, credit of Rs. 5810.21 is given to the applicant and this final bill is for Rs. 8963.37. As per letter dated 25.3.2015 applicant was directed to pay P.D. bills. As per rules and regulations of M.S.E.D.C.L. to restart the commercial connection consumer has to pay arrears of P.D. connection and has to submit new A-1 form,

because this connection was permanently disconnected before more than six months.

4. Non applicant further submitted that on 17.7.2003, applicant applied for residential connection. Demand of Rs. 2690/- was given to the applicant but applicant simply paid amount of demand note and had not given test report. Therefore residential connection was not given for non submission of test report. In case applicant pays amount of P.D. arrears of Rs. 8963/- (amount due on same premises) and produce receipt of that payment along with test report and new A-1 form, non applicant is ready to give fresh connection.

5. Forum heard arguments of non applicant's side and perused record.

6. It is noteworthy that applicant filed application for new service connection on 17.7.2003, paid the demand but had not given test report. Commercial connection was permanently disconnected in 2009. Applicant for the first time filed grievance application on 15.7.2015. According to regulation 6.6, Forum shall not admit any grievance unless it is filed within 2 years from the date on which cause of action has arisen. In this case for residential connection cause of action arose in the year 2003 and for commercial connection in 2007 but applicant filed grievance application in 2015 and therefore it is barred by limitation.

7. Further more, there is amount of P.D. arrears of Rs. 8963/- regarding the connection on the same premises and therefore applicant is bounden to pay these P.D. arrears. Applicant also has to submit test report and fill up A-1 form. Applicant is at liberty to make these compliances. After applicant comply these formalities, non applicant is ready to provide the connection.

8. As grievance application is barred by limitation it deserves to be dismissed. Hence following order :-

ORDER

1) Grievance application is dismissed.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN