

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

Case No. CGRF(NZ)/230/2015

Applicant : M/s.Sayyed Talidad Plastic Ind.
Juna Bagadganj, Gangabai Ghat
Nagpur-08.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(D/F.) NUC,MSEDCL,
NAGPUR.

Applicant :- In person.

Respondent by 1) Shri S.S.Gotmare, Adl.EE, Nodal Office
2) Shri N.P.Larokar, Nodal Office.
3) Shri Dahasahastra, SNDL Nagpur.

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

2)Mrs. V.N.Parihar,
Member, Secretary

ORDER PASSED ON 05.02.2016.

1. The applicant filed present grievance application before this Forum on 21.12.2015 under Regulation 6.5 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 23.12.2015

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

4. Record shows that applicant filed his case in Regular Civil Suit No.279/2015 against the non-applicant for same cause of action and it is pending in the Court of 7th Jr. Civil Judge Jr. Dn., Nagpur, Room No.614A of District Court, Nagpur and this Civil Suit fixed for hearing before Civil Court. Non-applicant produced all papers of said Civil Suit on record.

5. According to Regulation 6.7 (d) of MERC (CGRF & Electricity Ombudsman) of Regulation 2006. "The Forum shall not entertain a grievance where a representation by a consumer in respect of the same grievance is pending in any proceeding before any Court, Tribunal or Arbitrator or any other Authority, or Decree or award or a final order are already been passed by any such Court, Tribunal, Arbitrator or Authority." As applicant filed case in Regular Civil Suit No.279/2015 before Civil Court Nagpur regarding same subject matter therefore according to Regulation 6.7 (d) of the said Regulation, this Forum has no jurisdiction to entertain the application.

6. Therefore grievance application deserves to be dismissed. Hence the following order.

ORDER

- 1) Grievance application is dismissed.
- 2) Interim order passed by this Forum dated 23-12-2015 is hereby modified, vacated and cancelled.

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

sd/-
(Shivajirao S. Patil),
CHAIRMAN