

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

Case No. CGRF(NUZ)/024/2011

Applicant : Shri Dadarao T. Punwatkar,
At Bela Taluka Umrer,
Dist. Nagpur.
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
O&M Division-I,
Nagpur Urban Zone,
Nagpur.

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

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER (Passed on 06.07.2011)

Present grievance application is filed by applicant Shri Dadarao T. Punwatkar, V/s. Nodal Officer Division No. 1, MSEDCL, Nagpur on dated 30.05.2011 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity

Ombudsman) Regulations, 2006 hereinafter referred to as the said Regulation.

The applicant's case in brief is that in the year 1983-84 well an electric motor pump were given to him free of cost by the Government for irrigation purposes. Since 1999 he is giving field on Bata terms (on rent) to others. He did not use electric consumption even then, he is getting the electric bill. Now he received a bill of Rs.49097. This bill should be cancelled as there is no consumption. Therefore the applicant prayed for following relief.

- 1) The bill of Rs. 49,097/- should be cancelled.

The non-applicant denied the case of the applicant by filing reply.

It is submitted that as per the application of the applicant electric connection is permanently disconnected in December 2010. The applicant did not issued any letter to MSEDCL that applicant is not using the electric consumption. During that time bill was as per HPT and therefore no meter was installed.

Sub-Division office inspected the spot and found that since last 8 years there is no consumption by the applicant. However, before 8 years i.e. since March 2003 amount of Rs.19,941/- is due and outstanding against the applicant. The bill amount of Rs.47,631/- which was balance in December 2010 is already deducted by MSEDCL from the bill and as per calculation till March 2003 amount of Rs. 19,941/- is due and outstanding against the applicant amount of

Rs.27,690/- is deducted from the applicant's bill. Therefore direction should be given to the applicant to deposit the amount of Rs.19,941/-

Forum heard arguments from both the side and perused the record. After perusal of the record it appears that MSEDCL had already deducted amount of Rs.27,690/- for the period when there was no electric consumption. However amount of Rs.19,941/- is due and outstanding up to March 2003. MSEDCL inspected this spot and found that for last 8 years, there was no consumption, therefore that much amount is already deducted. Therefore in the opinion of the Forum applicant has to pay the bill of Rs.19941/- for the period till March 2003.

According Regulation 6.6 of the Regulation, the Forum shall not admit any grievance unless it is filed within 2 years from the date on which the cause of action arose. For the amount of Rs.19941/- which was due in March 2003 but even then there was no application of the applicant to nobody else till 2010 and therefore no relief can be given to the applicant so far as amount of Rs.19941/- is concerned.

This amount of Rs.19941/- is due an outstanding since 2003 i.e. since last 8 years. Even if this amount would have been deposited in FDR in any Nationalize Bank, the amount would have been double, even then MSEDCL is not claiming in any interest or penalty but claim only original amount of Rs.19941/-.

Considering the record Forum hold that the applicant has to pay amount of Rs.19941/- to MSEDCL. Forum did not find any circumstances to grant any installment for payment of this amount. However, it is discretion of MSEDCL. If MSEDCL deems fit, MSEDCL is at liberty to recover this amount in suitable installments as it deem fit. Hence forum proceed to pass the following order.

ORDER

The grievance application is partly allowed.

The non-applicant is entitled to recover the amount of Rs.19941/- from the applicant as electric bill for the period upto March 2003. MSEDCL has a discretion to give suitable installment to the applicant if MSEDCL deems fit.

The non-applicant is hereby directed to comply this order within one month from the date of issue of this order.

Sd/- (Smt.K.K.Gharat)	Sd/- (Adv.Smt.GauriChandrayan)	Sd/- (ShriShivajirao S.Patil)
MEMBER	MEMBER	CHAIRMAN
SECRETARY		