

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

Case No. CGRF(NUZ)/026/2011

Applicant : Smt. Najmabegum Ashfak Sheikh
Shop No. 4, Masum Complex,
Awasthinagar,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
(Distribution Franchisee)
Superintending Engineer,
Nagpur Urban Circle, Nagpur.
presented by Executive Engineer
(Nodal Office, DF)

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

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER (Passed on 10.08.2011)

The present grievance application is filed by Smt. Najamabegum Ashfak Sheikh, residing of shop no. 4, Masum Complex, Awashthi Nagar, Nagpur under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (here-in-after referred-to-as the said Regulations.)

The applicant's case in brief is that she filed an application on 08.04.2011 for electric connection on the address of shop no. 4/A, Masum Complex, Awasthinagar, Nagpur. The applicant approached the non-applicant at several times but up till now, connection is not given to her. Therefore she filed present grievance application and claim following reliefs, namely

- 1) Electric connection should be given to the applicant urgently.
- 2) For negligence of the non-applicant and delay concerned officers should be penalized.
- 3) For physical & mental torture, compensation of Rs.10,000/- should be given to the applicant.

The non-applicant resisted the application of the applicant by filing reply on dated 05.07.2011. It is submitted that in her grievance application, applicant submitted that she filed an application dated 19.03.2011 for electric connection at shop no. 4 Masum Complex, Awasthinagar, Nagpur and she filed an application on dated 08.04.2011 to Jr. Engineer. Therefore it is not clear which application is submitted on which date. If really application of connection was given on 19.02.2011 why applicant accepted acknowledgement of dated 08.04.2011?. It is also not clear whether electric connection at shop no. 4, Masum Complex, Awasthinagar, Nagpur is for residential purpose or commercial purposes. In prayer clause column no. (1), applicant demanded electric connection for residential

purposes. Therefore it is not clear whether residence of the applicant is in shop no. 4. After applicant submitted her application, said application was given to franchisee (Spanco) for further compliance. The concerned officer of spanco had scrutinized said application and found that it is application for residential purpose, but address is given beside Darga near Kabrastan Nagpur. When that spot was inspected, it is found that consumer no. 410014700378/2 is already given to the applicant for residential purpose. Receipt of payment of tax in the name of Sheikh Moh. Ilais Sheikh is given and on election identification card, so also on ration card address is given 112, near Rizwichal, Salve Compound, Civil Lines, Tiger Ground, Sadar, Nagpur. On the bill of neighbour of the applicant address is given as Nai Sahab Katkiya, Lakadshah, Dargaha. Applicant produced no objection certificate of landlord Sheikh Iliyas but in that no objection certificate, it is not mentioned to whom and to which person, no objection is given.

On spot inspection, it is found that applicant filed an application for residential purpose and address is given besides Dargaha. On 04.07.2011, applicant gave in writing that she does not want electric connection for residential purpose. It is given in writing under the signature of the applicant. If applicant require another electric connection she should filed separate application for that purpose. The grievance application may be dismissed.

Forum heard arguments from both the sides and perused the record.

It is an admitted fact that applicant had not given the written application for electric connection correctly and properly. Record shows that at some places specifically in prayer clause no. 1, applicant submitted that she want electric connection for residential purpose. During the course of arguments Mr. Jacob, representative of the applicant argued that due to mistake in prayer clause residential connection is written in grievance application on dated 09.06.2011. Therefore it is an admitted fact that applicant did not submit her application properly, she has not correctly written whether connection is required for residential purposes or commercial purposes. Therefore it is necessary for the applicant to submit correct, accurate application for electric connection without any mistake by complying all necessary formalities. After entire compliance, non-applicant shall give electric connection to the applicant as per the Regulations.

So far prayer of penalty and compensation is concerned. It is admitted fact that applicant had not submitted, application properly, address is not clearly mention. Type of connection whether residential or commercial, does not properly mention. In such circumstances no compensation can be given to the applicant.

Considering the record, Forum proceed to pass the following order.

ORDER

The grievance application is partly allowed.

- 1) The applicant shall submit correct and accurate application for electric connection and shall comply requisite formalities. On compliance of requisite formalities, non-applicant shall give electric connection to the applicant within 15 days from the date of compliance by the applicant.
- 2) The non-applicant is directed to comply this order within one month from the date of this order.

Sd/- (Smt.K.K.Gharat) MEMBER SECRETARY	Sd/- (Adv.Smt.GauriChandrayan) MEMBER	Sd/- (ShriShivajirao S.Patil) CHAIRMAN
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Member-Secretary
Maharashtra State Electricity Distribution Co. Ltd.'s
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Nagpur Urban Zone, Nagpur.