

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

Case No. CGRF(NZ)/07/2016

Applicant : Shri Prakash M. Noukarkar
At.Po.Wagholi
Tq.Hinganghat, Dist.Wardha.

Non-applicant : Nodal Officer,
The Executive Engineer,
O&M Division,MSEDCL,
Hinganghat.

Applicant'Representative :- Shri B.V.Betal,

Respondent by:- 1) Shri A.M.Nitnaware, E.E., Hinganghat Dn.
2) Shri R.R.Awachat, Dy.EE, H'ghat, S/Dn.

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

2) Mrs. Vandana Parihar,
Member/Secretary

ORDER PASSED ON 17.02.2016.

1. The applicant filed present grievance application before this Forum on 11.01.2016 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. Non applicant, denied applicant's case by filing reply dated 11.02.2016.

3. Forum heard arguments of both the sides and perused record.
4. Date of application is 05-10-2012. Demand is given on 19-12-2012. Applicant paid amount of demand on 08-01-2013 and submitted test report on 08-01-2013.
5. According to Regulation 6.6 of MERC (CGRF & EO) Regulations 2005 **“the Forum shall not admit any grievance unless it is filed within 2 years from the date of cause of action arisen. “**
6. So far as issuing of demand to the concerned applicant cause of action arisen on 19-12-2012. Therefore it is necessary to claim compensation in issuing late demand on or before 19-12-2014. But present application is filed on 11-01-2016 and therefore it is time barred by limitation according to Regulation 6.6 of the said Regulation.
7. So far as compensation for delay in issuing of demand is concerned, applicant submitted test report on 08-01-2013 therefore cause of action arisen on 08-01-2013. Applicant should have filed application within 2 years but present application is filed on 11-01-2016 therefore it is time barred by limitation according to Regulation 6.6 of the said Regulation.
8. Furthermore applicant submitted test report on 08-01-2013. Officer of MSEDCL went on the spot on 04-02-2016 and found that there is no electrical installation on that spot. Bogus test report is submitted by applicant. Assistant Engineer, Hinganghat Rural prepared written spot panchnama to that effect and that panchnama is produced on record. It is specifically mentioned in spot panchnama that officer of MSEDCL verified test report and there was no earthing installation, there was no electrical installation, there was no meter box. It is noteworthy that this spot.

panchnama is duly signed by applicant Shri Prakash M. Noukarkar. Therefore it is genuine document.

9. On that basis of said spot inspection, Dy. Executive Engineer, MSEDCL, Hinganghat Rural issued letter dated 06-02-2016 to the applicant and thereby cancelled test report as it is bogus and false and as there is no installation on this spot.

10. Therefore it appears that some people are producing bogus test report of electrical installation, wiring, earthing and fixing of meter boxes & extracting amount of compensation but it is not proper.

11. In our opinion applicant is not entitled for compensation. However applicant is liberty to make legal electrical installation and to submit fresh test report legal & proper. On such compliance by the applicant, non-applicant shall issue agricultural connection to the applicant as per Rules and Regulations.

12. Hence the following order.

ORDER

- 1) Grievance application is dismissed.
- 2) However applicant is liberty to make legal electrical installation and to submit fresh test report legal & proper. On such compliance by the applicant, non-applicant shall issue agricultural connection to the applicant as per Rules and Regulations.

Sd/-

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

sd/-

(Shivajirao S. Patil),
CHAIRMAN

