

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

Case No. CGRF(NUZ)/034/2011

- Applicant : Shri Indrapal T. Navdhinge
Ward No. 2, Civil Lines, Saoner,
Dist. Nagpur.
- Non-applicant : MSEDCL represented by
the Nodal Officer-
The Executive Engineer-II
Nagpur Rural Circle,
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 08.09.2011)

It is the grievance application filed by Shri Indrapal T. Navdhinge, Ward No. 2, Civil Lines, Saoner, Dist. Nagpur on dated 14.07.2011 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 case in brief is that, his consumer no. 411680003042. He deposited of Rs.1,11,870/- for electric connection for the Ginning Factory at village Burjwada in the

year 2003 and then filed an application for reconnection on dated 17.06.2005. Even then no electric connection is given to him. He filed application before IGRC and that grievance was decided on dated 04.07.2006, even then since last 5 years, non-applicant had not given connection to the applicant. Therefore applicant filed present grievance application and claim following reliefs Namely

- 1) Electric meter should be given to him.
- 2) Compensation should be given to him for economical loss.

The non-applicant field reply dated 02-08-2011 in only few lines and it is not parawise reply, as per notice by the Forum. In this short reply dated 02.08.2011, the non-applicant submitted that applicant did not file any application for electric connection to MSEDCL. As per the order of IGRC credit of Rs.18,450/- is given to the applicant in July 2011.

Forum heard arguments from both the sides. The applicant argued the matter personally. Mr. Talewar, Executive Engineer Division-II argued for MSEDCL. During the course of arguments, Forum has pointed out the fact and brought to the notice of Nodal Officer that reply dated 02-08-2011 is not parawise reply as per the notice of the Forum and as per the Regulation. Therefore subsequently when the case was fixed for order, latter on non-applicant filed detailed reply on 05.08.2011 itself. In that reply it is submitted that amount of Rs.23,164/- were due and outstanding against

the applicant in April-2006 and therefore connection of the applicant was permanently disconnected, therefore thereafter there was no use on the side of the applicant and it was merely (Padit Land). As per order of IGRC credit of Rs.18,450/- is given to the applicant in July 2011. Total amount due against the applicant was Rs. 23,164/-, credit of Rs.18,450/- is given as per the order of IGRC. Security deposit having amount of Rs.14,500/- is deposited with the MSEDCL and therefore amount of Rs.9,786/- can be return to the applicant. The applicant should submits requisite application and requires to produces original receipt of payment of security deposit and comply other formalities. Applicant did not file any application for electric connection. Industrial connection was given to the applicant on 10.01.2004 but due to non-payment of the bills it was permanently disconnected on 01.02.2006. On 20.04.2006 The applicant's connection was permanently disconnected directly from the pole and therefore except the security deposit amount there is no question of refund of any amount to the applicant. In case applicant requires new connection, a document should be submitted fresh application with requisite formalities and then MSEDCL will given fresh connection as per rules.

Forum heard the arguments of the applicant in person. So also arguments of Mr. Talewar from MSEDCL Forum perusal the entire record carefully.

It is noteworthy that, present grievance application is hopelessly barred by the limitation. As per the

grievance application, applicant filed an application for reconnection on 17.06.2005, but no connection is given to him. Latter on matter was decided by IGRC on 04.07.2006 but said order is not complied. Therefore cause of action arose for applicant to file grievance application on 04.07.2006. Therefore it was necessary for the applicant to file the present grievance application before 04.07.2008 before this Forum. According to regulation 6.6 of the said Regulation. The Forum shall not admit any grievance unless it is filed within 2 years from the date of which the cause of action has arisen. Cause of action arose on 04.07.2006. But no grievance application is filed within two years i.e. on or before 04.07.2008 and therefore present grievance application is hopeless barred by limitation.

Forum cannot grant any relief to the applicant. The grievance application deserves to be dismissed.

Resultantly Forum proceed to pass the following order.

ORDER

The grievance application is dismissed.

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