

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

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**Case No. CGRF(NUZ)/038/2011**

Applicant : Shri Gulab K. Patode,  
Post Ridhora,  
Tahsil, Katol,  
Dist. Nagpur.

Non-applicant : MSEDCL represented by  
the Nodal Officer-  
Executive Engineer  
Katol Division,  
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 19.09.2011)**

It is the grievance application filed by Shri Gulab K. Patode, At post Ridhora, Tahsil Katol, Dist. Nagpur on dated 22.07.2011 under the 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, he purchased survey no. 52 from one Smt. Subhadrabai N. Pawar, as per Sale-deed on dated 06.04.2005. At that time bill of Rs.5900/-

was given to him. He deposited that bill and nothing was due against him on 12.04.2006. Office of MSEDCL told that his deposited amount is credited in his account. For that purpose he sent many application but not relief was given to him. He deposited the amount in कृषी संजिवनी योजना on dated 29.06.2011 and nothing is due, this amount is deposited by him by reserving his rights. Therefore applicant filed present grievance application and claim revision of bills.

The non-applicant denied claim of the applicant by filing reply. It is submitted that meter is in the name of Smt. Subhadrabai N. Pawar. Applicant is not a consumer of MSEDCL. The applicant filed application for revision of bill but he is not consumer, therefore he has no locus-standi. Smt. Subhadrabai deposited of Rs.5900/- on 07.06.2007. On dated 31.03.2006 amount of Rs.23977=33 were due and outstanding against Subhadrabai. She deposited of Rs.5900/- on 22.04.2006 Contention of the applicant that there after no amount was due is absolutely false. Provisional bill of Rs.5900/- was given to Smt. Subhadrabai on 12.04.2006 and she deposited the amount. Therefore entries in CPL are to that effect. Applicant filed complaint before CGRF but he had not taken permission from the consumer to act as a representative and applicant signed in the capacity of consumer as well as representative of the consumer. It is not permissible. Benefit of कृषी संजिवनी योजना can be given to Smt. Subhadrabai in the month of June 2011 but for that purpose Smt. Subdrabai must pay the bills

regularly from time to time till December 2011. The applicant is not a consumer and therefore he has not locus-standi to file this application.

Forum heard argument from both the sides and perused record.

Record show that Smt. Subhrdabai N. Pawar is the consumer and therefore she has only right to file a grievance application. Even then applicant signed on grievance application in the capacity of consumer so also in the capacity of representative of the consumer. The applicant did not produce any authority letter of Smt. Subhdrabai to show that she empowered the applicant to act as her representative. Therefore applicant is no consumer not representative of the consumer and therefore application deserves to be dismissed.

It is true that the applicant produced copy of Sale-deed on dated 06.04.2005. However, it was necessary for the applicant to apply for change of name in the office of the MSEDCL, but uptill now, he did not file any application for change of the name since 06.04.2005 for a period of six years. Therefore he has not locus-standi to file this case.

Disputed bill are regarding the year 2005 and 2006 therefore cause of action arose to file present application in 2006 and therefore it was necessary for the applicant to file grievance application within two years i.e. on or before 2008 but present grievance application is filed on 22.07. 2011. According Regulation 6.6. of the said Regulation, "The Forum shall not admit any grievance unless, it is filed within 2 years from the date on which the cause of action has arisen."

Therefore application is hopelessly barred by limitation,  
therefore 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

**Member-Secretary**  
Maharashtra State Electricity Distribution Co. Ltd.'s  
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