

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

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**Case No. CGRF(NUZ)/045/2008**

Applicants : Shri Nisar Ahmad Khan  
At Ansar Nagar,  
Bariyapura,  
NAGPUR.

Non-applicant : MSEDCL represented by  
the Nodal Officer-  
Executive Engineer,  
Gandhibag Division, NUZ,  
Nagpur.

Quorum Present : 1) Shri S.D. Jahagirdar,  
Chairman,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.

2) Smt. Gauri Chandrayan,  
Member,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.

3) Shri S.J. Bhargawa  
Executive Engineer &  
Member Secretary,  
Consumer Grievance Redressal  
Forum, Nagpur Urban Zone,  
Nagpur.

**ORDER (Passed on 06.10.2008)**

This grievance application is filed on 25.08.2008 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 grievance of the applicant is in respect of non-sanction of a new electric connection for more than one year.

The matter was heard on 16.09.2008.

In this case the applicant applied to MSEDCL for sanctioning a new electric connection on 29.09.2007. The applicant said his application was not acknowledged. The non-applicant has denied this say of the applicant and contended that acknowledgement was duly given to him. He further stated that the applicant was also replied on the same day that is on 29.09.2007 informing him that there were two permanently disconnected electric connections in the same premises in the name of one Shri Abdul Gaffar Khan Vazirkhan bearing consumer nos. 41001-0894003 and another consumer no. 41001-0894011. These two connections were sanctioned in the same premises for which the applicant has sought permission for sanctioning a new connection. The applicant vehemently stated that he never received the non-applicant's reply dated 29.09.2007 and also that it is not correct to say that he refused to take delivery of the letter. According to the applicant, another application cum-reminder dated 20.05.2008 was sent to the non-applicant informing him that he has not still received any sanction in respect of a new connection as applied by him and further requesting him to sanction the new connection at the earliest. The non-applicant has vehemently denied that any such

reminder dated 20.05.2008 was ever received in his office. According to him, there are erasures in respect of date of receipt of any such reminder dated 20.05.2008. His submission is that a reminder, being reminder dated 20.08.2008, came to be received from the applicant and that the applicant's statement about receipt of the reminder by MSEDCL on 20.05.2008 is false and fraudulent. In that, he added that the date of receipt viz 20.08.2008 has been erased by the applicant and by making the correction manually in respect of the date of receipt, it is made to believe that the applicant's application cum-reminder was received by the non-applicant's office on 20.05.2008. He has produced on record original copy of the applicant's application dated 20.08.2008. The applicant on his part has denied the allegation made against him in this respect. His submission is that the present grievance application is entertainable by this Forum since the non-applicant has failed to give any reply within the prescribed period of two months to his reminder dated 20.05.2008 in terms of Regulation 6.2 (second proviso) of the said Regulations. The applicant has also made detailed written and oral submissions on the merits of his case.

In particular, he stated that he is not liable to make payment of the past arrear amount that is shown to be outstanding against his father in respect of the premises. He stated that there was no connection existing in the portion of the premises for which he is seeking a new connection.

Before going into merits of the case, it is necessary to decide whether the present grievance application can be entertained in terms of clauses (a) and (b) of Regulation 6.7 of the said Regulations text of which reads as under:

“6.7 the Forum shall not entertain a grievance

- a) unless a consumer has complied with the procedure under Regulation 6.2 and has submitted his grievance in the specified form to the Forum.
- b) unless the consumer is aggrieved on account of his grievance being not redressed by the Internal Grievance Redressal Cell within the period set out in these Regulations.”

What is seen by us in respect of date of receipt of reminder-cum-application is that there are erasers made in respect of date of receipt of the applicant’s application and in that, it has been tried to make believe that his application was received by MSEDCL on 20.05.2008. Moreover, the date of reminder seems to be 20.08.2008 and not 20.05.2008. There is a total suspicion about the real date of reminder and the real date of receipt by the non-applicant. Moreover, a copy of the same reminder allegedly said to be dated 20.08.2008 has also been addressed to the Itwari Sub-Division and it bears 20.08.2008 as the date of receipt from the applicant by Itwari Sub-Division. The applicant wants this Forum to accept the position that his intimation dated 20.05.2008 should be treated as deemed intimation to MSEDCL in terms of second proviso to Regulation 6.2 of the said Regulations.

Looking to the facts and circumstances of the case, this Forum has a reason to believe that the applicant refused to take delivery of the MSEDCL’s previous reply dated 29.09.2007 and also that no such reminder, being reminder on 20.05.2008, was ever submitted by the applicant and the only reminder that came to be received by the non-applicant was the one dated 20.08.2008. Hence,

according to us, the applicant has not fulfilled the legal requirement of Regulation 6.7 of the said Regulations and as such, his grievance application does not prima-facie deserve to be entertained.

In view of this position, question of going into the merits of the case does not arise at this stage.

The grievance application, therefore, stands disposed off as not entertainable in terms of Regulation 6.7 of the said Regulations.

Sd/-	Sd/-	Sd/-
<b>(S.J. Bhargawa)</b>	<b>(Smt. Gauri Chandrayan)</b>	<b>(S.D. Jahagirdar)</b>
Member-Secretary	MEMBER	CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM  
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's  
NAGPUR URBAN ZONE, NAGPUR.**

Member-Secretary  
Consumer Grievance Redressal Forum,  
Maharashtra State Electricity Distribution Co.Ltd.,  
Nagpur Urban Zone, NAGPUR.