

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

Case No. CGRF(NUZ)/39/2012

Applicant : Shri Prabhudayal K. Jugseniya,
At Panwadi, Post – Khangaon,
Tah. Katol,
Distt. NAGPUR.

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

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

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER PASSED ON 22.5.2012.

The applicant filed present grievance application before this Forum on 28.3.2012 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

1. The applicant's case in brief is that on 12.3.2011, Lineman came to his house and told that bill of electricity is in arrears and therefore they will disconnect the supply. The applicant enquired the amount of the bill. Wireman told that

the amount of Rs. 650/- is in arrears. The applicant admitted that position. The applicant handed over Rs. 650/-, to the Lineman on 13.3.2011 + Rs. 30/- as reconnection charges. Accordingly, the Lineman deposited that amount and handed over the receipt to the applicant under the dt. 15.3.2011. On 16.3.2011 the supply was reconnected. Again on 23.3.2011, Jr. Engineer and Lineman came to the house and disconnected the supply on the grounds that bills is not paid, the applicant should pay the arrears within 3 days other wise they will take out the meter. On 24.3.2011, the meter was disconnected.

2. Then current bill was issued showing last date 5.4.2011 but the applicant was not in a position to pay this bill but even then he paid it on 23.4.2011. Even then supply was not reconnected. After 3 months, he received a demand of P.D. charges of Rs. 1100/-. He deposited P.D. charges but even then supply was not reconnected. Then he had affixed a hook on live wire and took electricity supply. On the next day, the Jr. Engineer, lineman and line helper came to his house and demanded test report. The applicant was not present at the house but supply was going on. The applicant received a phone call from his house and then he went to the house. The applicant discussed with Jr. Engineer about taking illegal electricity supply and they threatened to take police action but the applicant compromised the matter with them. They demanded Rs. 50000/-. The applicant admitted their demand because it was necessary to reconnect the supply. On the next day the supply was reconnected without test report. Now the

applicant did not deposit electric bill of 4 months even then the supply is not disconnected. The meter of the applicant is commercial. Except furniture business he has no other source of income. The applicant took loan of Rs. 1,00,000/- from Mahindra Home Finance. Therefore, the applicant filed present grievance application and prayed to take action against Jr. Engineer so also claimed Rs. 75,000/- as compensation and Rs. 50,000/- as compensation from M.S.E.D.C.L.

3. The non applicant denied applicant's case by filing reply Dt. 17.4.2012. It is submitted that in spite of repeated demands applicant did not pay the bills of consumer connection since 30.12.2010 and therefore on 12.3.2011, his supply was temporarily disconnected. Notice under section 56 of Electricity Act 2003 was issued to the applicant calling upon him to pay the bills within 15 days failing which supply shall be disconnected. The applicant made part payment of Rs. 650/- on 21.3.2011. Remaining amount of Rs. 802/- was due and outstanding against the applicant. At that time supply was already disconnected. Notice was issued to the applicant to pay the bill within 3 days failing which supply shall be disconnected. On 28.3.2011 supply was permanently disconnected. Thereafter the applicant deposited Rs. 1350/- on 23.4.2011 but as per rules of M.S.E.D.C.L., the applicant did not deposit P.D. charges of Rs. 350/-, nor provided test report for reconnection. On 1.8.2011, the applicant deposited Rs. 350/- as reconnection charges + Rs. 750/- minimum charges

total Rs. 1100/- and filed the application for reconnection of supply on Dt. 3.8.2011. The applicant was directed to file test report as per letter No. 615 Dt. 8.8.2011. On 17.8.2011 the applicant filed test report and therefore on 18.8.2011 supply was restored.

4. About the arrears of Rs. 2530/-, notice Dt. 21.12.2011 was issued to the applicant and he deposited Rs. 2530/- on 12.1.2012. Therefore, allegation of the applicant that though bills of 4 months are not paid no action is taken, is false. It is denied that officers of M.S.E.D.C.L. have demanded Rs. 50,000/- from the applicant. Furthermore, they have not taken any such amount from the applicant and entire such allegations are false.

5. Application is false and deserves to be dismissed.

6. Forum heard the arguments of both the sides and perused the record.

7. Bare reading of grievance application of the applicant, it is clear that bills were not paid by the applicant from time to time and therefore it is but natural that it was a case of disconnection. The applicant himself mentioned in his grievance application that once upon a time he affixed a hook on live wire and illegally took electric supply. He even discussed with Jr. Engineer about theft of electricity. Therefore, it appears that this act of the applicant is illegal, high handed and within the purview of Section 126 and 135 of

Electricity Act 2003. Therefore, according to regulation 6.8 (a) & (b) of the said regulations, this Forum has no jurisdiction to entertain the grievance.

8. At the bottom of the grievance application, the applicant had mentioned his prayer in hand writing in 4 clauses. However, it is not particularly mentioned how the applicant claiming compensation. On one hand, the applicant is saying that no amount was due but at the other hand he is admitting that the bill was not paid by him. The applicant had not given other detail particulars of economic exploitation. We find no force in the allegations of the applicant regarding demand of Rs. 50000/- by Officers of M.S.E.D.C.L. No cogent evidence is produced by the applicant.

9. Considering the pleadings of the parties, facts & circumstances of the case and evidences on record, Forum is of considered opinion that there is no force in the present grievance application and application deserves to be dismissed. Resultantly, Forum proceeds to pass the following order :-

ORDER

1) Grievance application is dismissed.

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