

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

Case No. CGRF(NZ)/36/2016

Applicant : Shri Pandurang B. Thute
At.Sawarkheda, Po.Waigaon
Tq.Samudrapur, Dist.Wardha.

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

Applicant's Representative :- Dr.N.N.Behare,

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) Smt. Vandana Parihar,
Member/Secretary

ORDER PASSED ON 12.04.2016.

1. The applicant filed present grievance application before this Forum on 18.02.2016 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 17.03.2016.

3. Forum heard arguments of both the sides and perused record.
4. Applicant filed present grievance application for agricultural connection on 31-01-2013. Demand is issued on 26-07-2013. It was necessary to issue demand within 15 days from the date of application i.e. on or before 15-02-2013. The cause of action has arisen for issuing of demand on 15-02-2013. According to Regulation 6.6 of the said Regulation **“The Forum shall not admit any Grievance unless it is filed within two (2) years from the date on which the cause of action has arisen”**. Therefore it was necessary to file application on or before 15-02-2015 for compensation about demand. But application is filed on 18-02-2016 therefore it is barred by limitation according to Regulation 6.6 of the said Regulation.
5. Applicant paid amount of demand on 14-08-2013 and filed alleged test report on 16-08-2013. However non-applicant produced one certificate issued by Shri S.S.Wandhare, Assistant Engineer, MSEDCL, Samudrapur to the effect that applicant is entitled to get agricultural motor pump from Agricultural Department. This certificate is issued on 16-12-2015. In application of the applicant dated 05-02-2016 (not of argument) also it is mentioned that Shri Wandhare, Assistant Engineer issued certificate dated 16-12-2015 that applicant is entitled to issue motor pump Agricultural Department it means till 16-12-2015 motor pump was not available. He applied Agricultural Department to get motor pump and for that purpose certificate issued by Shri S.S.Wandhare, Assistant Engineer, Samudrapur. Till 16-12-2015 motor pump was not available even then bogus test report filed on 16-08-2013. Therefore applicant is not entitled for compensation for delay in agricultural connection because record shows that motor pump was not purchased by applicant. Admittedly connection is released on 22-02-

2016 and supply is going on therefore now that part of grievance is redressed.

6. Hence the following order.

ORDER

- 1) Grievance application is partly allowed.
- 2) Claim for compensation to delay in issuance of demand is barred by limitation therefore it is rejected.
- 3) Claim for compensation for delay in releasing of agricultural connection is rejected for the ground of bogus test report dated 16-03-2013 and on non availability of motor pump.
- 4) Connection is released on 22-02-2016 therefore that part of grievance is redressed.
- 5) Non-applicant is directed to comply within 30 days from the date of this order.

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

sd/-
(Shivajirao S. Patil),
CHAIRMAN