

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

Case No. CGRF(NUZ)/028/2015

Applicant : M/s. Prince Builders,
Prop. Shri J.K.Khandwani,
Plot No. 242, Vyankatesh Nagar,
Nagpur.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
MSEDCL,
NAGPUR.

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

2) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 3.3.2015.

1. The applicant filed present grievance application before this Forum on 28.01.2015 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. Applicant's case in brief is that he orally complained to various offices in the past to commercial section of SNDL requesting for change of tariff which was applied as LT-VII (Temp. Supply) to L.T.-II i.e. commercial tariff as power supply was obtained by him for construction activities. But commercial section did not take any action on his complaint. Therefore at last he made written complaint in this regard on 8.7.2014 but no relief of change of tariff from LT-VII to LT-II has been given to him. Applicant

therefore approached to I.G.R.C. requesting for change of tariff from LT-VII to commercial i.e. L.T. – II and for revision of his bills accordingly from the date of connection i.e. from 20.12.2011 as the tariff was wrongly decided by commercial section since beginning. Applicant approached to I.G.R.C. As per order passed by I.G.R.C. Dt. 31.12.2014 in case No. 1164/14,I.G.R.C. held that since it has brought on record that applicant's power supply was meant for construction purpose and as on the date of order the construction was completed, his electricity bill can be considered for revision from 8.7.2012, i.e. since prior to a period of 2 years from the date of his written complaint Dt. 8.7.2014. Therefore applicant deserves to get his bill revised from his original complaint i.e. July 2012. Therefore directions were given to Commercial Manager to revise applicant's bill from July 2014 to October 2014, considering commercial tariff and to give appropriate relief to him of balance amount in his ensuing bills. Being aggrieved by the order passed by I.G.R.C. he approached to this Forum.

3. Non applicant denied applicant's case by filing reply Dt. 11.2.2015. It is submitted that electricity supply was given to the applicant since 20.12.2011 in the name of M/s. Prince Builders as temporary connection L.T. – VII for construction purpose. Applicant approached to Learned I.G.R.C. Learned I.G.R.C. passed order dated 31.12.2014 and directed to revise the bills from July 2014 to October 2014. Accordingly bills are revised & credit of Rs. 6627.33 is given to the applicant in the bill of January 2015. Grievance application deserves to be dismissed.

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

5. It is an admitted fact that for the first time, applicant filed written application on 8.7.2014. Applicant is not lay man but he is a reputed

builder, M/s. Prince Builders, Prop. Shri J.K. Khandwani. Therefore it is very well known to Learned Builder that in case he has to make any complaint, it must be in writing. Record shows that for the first time applicant applied for change of tariff on 8.7.2014. Therefore we find no force in contention of the applicant that previously he made oral complaints. There is no base for oral complaints. Therefore we hold that for the first time applicant filed written application for change of tariff on 8.7.2014. We have carefully perused CPL. Date of connection is 20.12.2011. For the first time applicant applied for change of tariff on 8.7.2014. According to regulation 6.6 of the said regulations, Forum shall not admit any grievance unless it is filed within 2 years from the date on which cause of action has arisen. Applicant filed first application for change of tariff on 8.7.2014 and therefore since 8.7.2012, his grievance is within limitation and rest of the part of the grievance i.e. since 20.12.2011 to 7.7.2012 is barred by limitation. Therefore Learned I.G.R.C. has rightly given the relief to the applicant since 8.7.2012 i.e. prior to a period of 2 years from the date of cause of action i.e. his complaint Dt. 8.7.2014. In our opinion order passed by Learned I.G.R.C. is legal and valid and needs no interference. Grievance application deserves to be dismissed. Hence following order :-

ORDER

- 1) Grievance application is dismissed.

Sd/-
(Anil Shrivastava)
MEMBER/
SECRETARY

Sd/-
(Shivajirao S.Patil)
CHAIRMAN