

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

Case No. CGRF(NUZ)/169/2006

Applicant : Shri Waman Ramchandra Kolhe
At. 190, Omnagar,
Mirchi-Bazar Layout,
Nagpur.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
O&M Division-II, NUZ,
Nagpur.

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

2) Smt. Gouri 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 12.12.2006)

The present grievance application has been filed on
21.11.2006 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 waiving of his past energy bill amount and also in respect of restoration of his power supply to his agricultural pump.

Before approaching this Forum, the applicant had filed his complaint application on 13.03.2006 on the same subject-matter of the present grievance to the Executive Engineer of the non-applicant Company with copies thereof endorsed to the Chief Engineer etc. However, since no satisfactory remedy was provided to his grievance, he had filed the present grievance application.

The matter was heard by us on 12.12.2006.

The applicant is an agriculturist and has installed agricultural pump in his field situated at village Waroda (Panjri), Tahsil, Nagpur, Dist. Nagpur. The applicant's contention is that there were repeated instances of theft of electric line with the result that he had to suffer heavy financial loss. The episode of theft of electric line has been happening since last 8 to 10 years. It is his further contention that he could avail of supply of electricity only for a period of 4 to 5 months during the period from 1999 to 2001 and that because of non-availability of power supply for a considerable period, he had suffered financial losses of about Rs.1.50 Lakhs. His request is that energy charges meant for the period during which there was no supply of electricity may be waived and that his power supply may be restored.

The non-applicant has stated in his parawise report that the past arrear amount upto the end of September, 2001 in the

applicant's case has now been reduced to Rs.5,500/- His energy charges from March, 2002 onwards have also been waived. He added that the applicant's grievance has been resolved by him and that the applicant's power supply can be restored if he pays the revised arrear amount of Rs.5,500/-. He has admitted that there were a few instances of theft of electric line during the year 1999 and thereafter.

It is a matter of record that the non-applicant has informed the applicant that an amount of Rs.5,500/- is now outstanding against him and that he should pay this amount.

The non-applicant has stated during the course of hearing that the energy bill dated 01.02.2006 for Rs.22,390/- and subsequent energy bill dated 24.07.2006 for Rs.25,900/- already issued to the applicant stand withdrawn.

The applicant has brought to our notice during the course of hearing that he has already filed a complaint petition, being complaint petition no. 376/2002, before the Maharashtra State Consumer Disputes Redressal Commission, Mumbai hereinafter referred-to-as the State Commission on the same subject-matter of the present grievance. This petition has been filed by him under section 12 of the Consumer Protection Act, 1986. This complaint case is still pending at the level of the State Commission. A copy of this complaint petition has been taken on record. From the text of the petition, it is clear that the applicant has sought relief from the State Commission in respect of his past energy bill amounts etc. and also that he has raised the same subject-matter before this Forum through his present grievance application. Clause (d) of Regulation 6.7 of the said Regulations lays down that the Forum shall not entertain a grievance

where a representation by the consumer, in respect of the same Grievance, is pending in any proceedings before any court, tribunal or arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority.

In view of above position, the present grievance application cannot be entertained by this Forum. Question of going into the merits or demerits of the case, therefore, does not arise.

The same, therefore, stands disposed off accordingly.

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

