

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

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**Case No. CGRF(NZ)/50/2016**

Applicant : Shri Shirang T. Sontakke  
At.Po.Kawatha  
Tq.Samudrapur,Dist.Wardha.

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

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Applicant Representative :- Shri Betal,

Respondent by:- 1) Shri Hedau, Dy.E.E., Samudrapur S/Dn.

Quorum Present

- :
- 1) Mrs.V.N.Parihar  
MEMBER/SECRETARY  
& I/C. CHAIRMAN
  - 2) Shri N.V.Bansod,  
Member
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**ORDER PASSED ON 30.05.2016.**

1. The applicant filed present grievance application before this Forum on 01.04.2016 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 26.04.2016.
3. Forum heard arguments of both the sides and perused record.

4. According to applicant, he filed an application for new agricultural connection on dated 17-01-2013. In pursuance his application, the Distribution Licensee issued him demand note on dated 12-01-2014. It was necessary for the distribution licensee to issue demand notice within 15 days i.e. in this case on or before date 02-02-2013. According to applicant, he deposited said amount on dated 12-03-2014 and he submitted test report but it was not accepted by Samudrapur Distribution centre. However connection was released to him on dated 25-02-2016.

5. As the applicant did not get the connection, he approached IGRC on dated 08-01-2016. The IGRC passed the order on dated 03-02-2016 and directed non-applicant to initiate action against the Samudrapur D/c. incharge for late submission of an estimate to his higher authority also. IGRC also asked clarification for refusal to accept the test report from applicant by Samudrapur D/c., within 15 days.

6. Dissatisfied with the said order the applicant filed grievance application before the forum on dated 01-04-2016.

7. According to non-applicant in his reply the applicant filed the application, paid the demand note as per dates given above but test report was submitted on dated 04-02-2016 and connection was therefore released on dated 22-02-2016.

8. During the hearing, it was submitted by non-applicant that, MSEDCL has issued demand note on dated 12-01-2014. Therefore he is entitled for compensation from non-applicant, according to MERC's SOP Regulations for delay in issue of demand note & for late release of connection on dated 25-02-2016.

9. It is seen that an applicant approached IGRC on dated 08-01-2016. The applicant was issued demand note on date 12-01-2014 and for two years i.e. upto 12-01-2016 he was supposed to file grievance for late issue of demand note. 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”**. It is true that as demand was issued on dated 12-01-2014 and it was necessary to filed application within two years i.e. on or before 12-01-2016. But in this case, the applicant has already approached to IGRC on dated 08-01-2016. Hence his claim for compensation is not time barred by the limitation.

10. It is also seen that there is dispute regarding date of submission of test report. During the hearing the applicant could not produced any evidence to confirm the date of submission of the test report whereas non-applicant admitted that test report was submitted on 04-02-2016 though the contractor to whom work of releasing connection was allotted by the MSEDCL.

11. Hence the following order.

#### ORDER

- 1) Grievance application is partly allowed.
- 2) Non applicant shall pay compensation to the applicant for delay in issuing of demand note for the period from 02-02-2013 to 11-01-2014 according to MERC's SOP Regulations 2005 and 2014.
- 3) IGRC order needs to be complied.

- 4) All other claims of the applicant are rejected.
- 5) Non-applicant is directed to comply within 30 days from the date of this order.
- 6) No order as to cost.

Sd/-  
**(Shri.N.V.Bansod)**  
MEMBER

sd/-  
**(Mrs.V.N.Parihar),**  
MEMBER/SECRETARY  
& I/C. CHAIRMAN