

Before Maharashtra State Electricity Distribution Co. Limited Consumer Grievances Redressal Forum, Pune Zone, 925, Kasabapeth Building, 11nd flr. Pune-11

Case No. 11/2010

Date: 12/05/2010

In the matter of Mr. M.B. Kanaskar

- Complainant

V/S

M.S.E.D.C.L. Manchar Division

- Opponent

Quorum

Chair Person

Mr. A.V.Bhalerao

Member/Secretary

Mr. L.G.Sagajkar

Member

Mr. Suryakant Pathak

- 1) The facts in brief which emerge from the pleadings and the documents produced are that Shri. M.B. Kanaskar (Complainant for short) made grievance contending that he made an application to Maharashtra State Distribution Company Limited (Opponent for short) for getting power supply and paid quotation charges on 13/11/03 even then till today he has not received power supply. He had made application for getting power supply in the name of his son also but he did not get any reply from the opponent. He alleged that he had made grievance to Internal Grievance Redressa Cell (IGRC) however the IGRC did not give any relief to him. He alleged that he received a notice of hearing from IGRC after the date of hearing was over. He claimed compensation for the loss caused to him in his Agr. business for want of power supply.

- 2) The opponent filed its say dt. 19/04/2010 contending that the complainant was served with a notice to appear before IGRC for hearing his case at 4.00 PM. on 10/03/2010 however he remained absent on that day. It was further contended that the pleading made by the complainant in his application to IGRC is at variance with the pleading made by him in his application to this forum. The complainant along with the application to IGRC produced a receipt under which he had paid the quotation charges alleging that in spite of payment of quotation charges he did not get the power supply but on the basis of payment made by him under receipt which he had produced power supply was given to his residential house.
- 3) On the date of argument the complainant's son Harish appeared and argued that in the year 2003 the application was made for getting power supply to his Agr. Pump. The quotation charges were also paid by him but he did not get the power supply till today. The other receipts for the application made dt. 10/10/2006 and 09/07/2007 were also produced by him. On behalf of the opponent Shri. Khandekar, A.E. appeared and submitted that the case put forth by the complainant before IGRC was altogether different. The complainant before IGRC produced a receipt of payment of quotation charges contending that even on payment of the charges he did not get power supply however, on the basis of payment made under the receipt produced by the complainant a power supply to his residential house was given. He contended that he did not get any receipt for the payment of quotation charges made by the complainant for getting power supply qua the application bearing No. 271 dt. 28/07/2003. The opponent produced xerox copies of various documents.

4) On rival contentions raised following point arises for consideration.

Does complaint prove that after making application dt. 28/07/2003 for power supply to Ag. Pump he had made payment of the quotation charges even then the connection was not released to him for Agr. Purpose.

The above point is answered in the negative for the reasons given below

REASONS

5) POINT NO.1 :- On the date of arguments the complainants son Mr.Harish contending that after making an application dt. 28/07/2003 he had made payment of the quotation charges he was asked to produce the receipt under which he had made a payment of the quotation charges upon which he submitted that the said receipt was lost. He again turned round and improved the story stating that he had a receipt however, it was given by him to the lineman who had asked for it on the ground that it was required to regularize connection and did not return it. He also stated that on making payment of the quotation charges he had received supply of the electricity but subsequently it was cut off within a short time of six months. The story narrated by the complainant appears to be concocted like cock and bulls. It is impossible that even after getting supply of the electricity if it was cut off he would not make a grievance of it in the year 2003 it self. There is a reason to believe that the complainant orally put forth apparently unbelievable story to find excuse for his inability to produce a payment receipt of the quotation charges. The complainant before IGRC had produced the receipt under which he made payment of the quotation charges. The opponent had produced the Xerox copy of the application made by

the complainant to IGRC along with the xerox copy of the receipt for the payment of quotation charges the said receipt is dt. 13/11/03 and bears. No. 4220766. As against that payment a power supply was given to the complainant's residential premises which has been amply made clear as the receipt No. 4220766 is mentioned in the connection report dt. 13/12/03 and also in the register of service connection against complainant's name. The opponent has produced all the relevant documents by which it is established that against the payment made by the complainant under the receipt 4220766 a connection was given to his residential premises having realized that the falsity of the claim made before IGRC was proved the complainant changed the story before this forum about the receipt being lost or after giving it to the lineman it was not returned to him. The complainant has failed to establish that for getting supply of electricity to his Agr. pump on an application bear. No. 271 dt.28/07/03 he had paid service connection charges. As the complainant did not pay the service connection charges he has no right to claim power supply much less the compensation.

- 6) On the basis of the application dt. 10/10/06 the quotation dt. 06/01/2007 was issued but the complainant did not pay the quotation charges and therefore he did not get rightly the power supply. On application made by the complainant dt. 09/07/09 the quotation was issued on 19/03/10 the complainant made payment of the quotation charges on 07/04/2010 and connection was released on 27/04/2010. The opponent ought to have given quotation within 15 days from the date of the receipt of the application. However the opponent caused delay in giving intimation of charges to be borne by the complainant for which the complainant can claim compensation

by making case to that effect separately. If he so desires.

ORDER

The complaint stands dismissed.

Sign:

Mr.L.G.Sagajkar
Member/ Secretary

Shri.Suryakant Pathak
Member

Mr. A.V. Bhalerao
Chair Person

Date: 12/05/2010