

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

Case No. CGRF(NZ)/05/2019

Applicant : Shri Ramdas Ganpat Kumare,
Mukum – Sonegaon (Khunkar),
Post – Sirsgaon, Taluka - Hinganghat,
Dist. - Wardha.

Non-applicant : Nodal Officer,
The Executive Engineer,
Hinganghat Dn., M.S.E.D.C.L.,
Hinganghat.

Applicant represented by : Shri B. V. Betal.

Non-applicant represented by: 1) Shri H.P. Pawade Exe.Engr.,
MSEDCL, Hinganghat.

Quorum Present : 1) Shri Arvind Jayram Rohee,
Chairperson.
2) Mrs. V.N.Parihar,
Member Secretary
3) Mrs. Asmita Avinash Prabhune,
Member(CPO)

ORDER PASSED ON 23.04.2019

1) The applicant filed present grievance application before this Forum on 11.01.2019 under clause 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Electricity Ombudsman) Regulations 2006.

2) Non applicant denied applicant's claim by filing reply dt. 13.02.2019.

3) Case was fixed for hearing on 22.02.2019, 6.3.19 & 15.4.19. Shri B.V. Betal authorized representative was present for the applicant & Shri Hemand Pawade Ex.Engr. MSEDCL, Hinganghat represented the Non applicant.

4) Forum heard arguments of both the sides & carefully perused the case record.

5) Shri Ramdas Ganpat Kumare at Sonegaon (Khunkar) Sirsgaon – Post, Hinganghat – Taluka, Wardha – Dist (hereinafter referred to as the applicant) is having electricity connection for 3 HP agricultural Pump Set. According to him his electricity supply was disturbed due to breaking of poles & wires during the period 05-07-2018 to 06.09.2018 due to natural calamity. Applicant initially informed orally to Astd. Engineer Distribution Licensee MSEDCL (hereinafter referred to as Non applicant) on 08.07.18 & 15.07.2018, then by way of a complaint on 31.07.2018 & 03.08.2018 stating that electric supply was not restored. But the Non applicant in his reply stated that supply was restored on dt. 02.08.2018. however according to applicant electricity supply was restored on 07.09.2018.

6) Applicant filed application to IGRC, Wardha for paying for compensation as per SOP IGRC, as follows but IGRC rejected his claim vide order dt. 29.09.18.

a) Grant compensation according to MERC SOP Regulations 2014. 'Restoration of supply' (Appendix 'A' i.e. Rs.50/- per hour, delay in restoration after 18 hours in rural areas) for the period from 31.07.2018 to 06.09.2018.

b) Physical & Mental harassment Rs.15000/-.

c) Travelling Expenses rs.2000/-.

d) Judicial expenditure Rs.2000/-.

7) Non applicant in his written reply stated that due to Natural calamity 3 L.T. Poles & wires were damaged hence supply was disconnected. It was not possible to attend the complaint of applicant due to heavy rains & standing crop in the field.

8) The applicant was called upon to appear in person to verify the fact if he had issued letter of withdrawal dated 18.02.2019 forwarded to E.E. MSEDCL, Hinganghat with its copy to this forum, as it bears his thumb impression. However, he did not turn up. Hence, adverse inference will have to be drawn against him thus the contention of applicant's representatives's, that it is a fabricated letter/communication by the non applicant cannot be believed.

9) During the course of hearing, on 22.02.2019, the Non applicant submitted letter dt. 18.02.2019 regarding withdrawal of complaint by the Applicant. In the said letter, Applicant had stated that & he has no grievance or complaint against MSEDCL & he wishes to withdraw case. Applicant's representative took objection against this letter & further denied execution of any such type of letter by the Applicant. His Representative further alleged fabrication of document by taking thumb impression of the applicant on the blank papers by N.A. In order to confirm authenticity of document submitted by Non Applicant, Forum directed applicant's

representative to keep the applicant present on next date of hearing. However he failed to ensure presence of Applicant before Forum. The applicants representative could not produce any evidence in support of his contention that it is a fake document..

10) Non applicant reiterated the facts stated in the reply. According to Shri Pawade, due to heavy rains & wind caused in the region, there were huge damage was caused to the H.T. as well as L.T. lines in the said area. He further contended that it is difficult to attend timely A.G. Fuse off complaint due to obstruction caused by heavy rainfall, standing corp. etc. Hence they are not responsible for late restoration of supply and hence to pay any compensation to applicant.

11) As per complainant, supply was disconnected on 05.07.2018 but informed to MSEDCL on 31.07.2018 & supply was restored on 02.08.2018 i.e. well within time prescribed under SOP. Hence considering the difficulties cited by Non applicant, Forum does not find it necessary to award any compensation.

12) In view of the above facts & reasons recorded, present grievance application deserves to be dismissed, it is accordingly dismissed, with no order as to costs.

Sd/-
(Mrs. Asmita A. Prabhune)
MEMBER(CPO)

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

Sd/-
(Arvind J. Rohee)
CHAIRPERSON