

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

Case No. CGRF(NZ)/88/2019

Applicant : Shri Moreshwar Maroti Balpande,
At-Pawani, Post-Sirasgaon,
Tal.Hinganghat,
Dist.Wardha.

V/s

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

Applicant represented by : Shri B.V. Betal
Non-applicant represented by : 1) Shri H.P. Pawade, Exe.Engr.,
Hinganghat Dn.MSEDCL.

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

ORDER PASSED ON 27.11.2019

1. The Applicant through his representative Shri B.V. Betal approached this Forum under Para 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations 2006, since his claim for seeking compensation for delay in restoration of electric supply to his agricultural pump in the field is rejected by IGRC vide order dated 30.06.2018.

2. The applicant filed the present Grievance application before this forum on 22.4.2019 against the order dated 10.10.2018 passed by IGRC, which is not admitted vide communication dated 24.04.2019 by the Member Secretary of this forum, since it was not filed within 60 days from the date of decision of IGRC. The record shows that applicant approached Hon'ble Ombudsman against the said communication, which by order dated 30.09.2019 remanded the matter to this forum for decision on merit holding that it is not barred by time by virtue of the provisions of para 6.6 of MERC (CGRF & EO) Regulations 2006.

3. On notice the Non-applicant appeared and by a reply dated 11.11.2019 resisted the claim by stating that there was no delay in restoration of electric supply to the agricultural pump, which was disrupted due to heavy storm in which many electric poles in the region were damaged. Immediately after receiving complaint from the applicant the electric supply was restored on 06.08.2018 and not on 17.09.2018, as stated by the applicant and there is no question of payment of compensation to the applicant as claimed.

4. On 13.11.2019 the forum heard of the applicant's representative and reply arguments of Shri Pawade, Executive Engineer, Hinganghat Dn., MSEDCL. We have carefully perused the case record.

5. The record shows the power supply to the 3 HP agricultural pump connection of applicant was disrupted due to breaking of poles and wires on 20.06.2018. Applicant claims compensation as per the provisions of MERC (SOP) Standard of Performance Regulations 2014, since electric power was not restored within time stipulated therein. The record also shows that applicant lodged oral complaint on 25th and 30th June 2018 after the incident of hell storm occurred on 20.06.2018 in the region, damaging 233 HT poles & 1098 LT Poles in Hinganghat Division to large extent. The applicant submitted written complaint with the Non-applicant only on 04.08.2018 and electric supply was restored on 06.08.2018 and not on 17.09.2018 as stated by the applicant in the grievance application.

6. It is obvious that in the representation before the Hon'ble Ombudsman, the applicant himself stated that electric supply was restored on 06.08.2018. This being so, he is estopped from orally contending that there was delay in restoration of electric supply till 17.09.2018. This being so, it cannot be said that the applicant is entitled to claim compensation, alleging delay in restoration of electric supply. It is obvious that even if there is some delay, the Non-applicant cannot be blamed nor the applicant can claim compensation, since the damage to the electric pole was caused due to storm, beyond the control of the Non-applicant.

7. From the above discussion, it is obvious that the applicant has not come with clean hands to seek compensation for alleged delay in restoration of electric supply. Oral complaint made by the applicant

twice without any particulars has no relevance, unless written complaint is filed which is immediately entertained and acted upon by the Non-applicant by restoring the electric supply to the applicant's field property on 06.08.2018.

8. In view of above the grievance application stands dismissed, however 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

