

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005.
Tel. 022 22163964/65/69 Fax 22163976
Email: mercindia@mercindia.org.in
Website: www.mercindia.org.in

Case No. 123 of 2011

In the matter of
**Complaint filed by Shri Ashok Susuruddin Nadaf against MSEDCL under
Section 142 of the Electricity Act 2003 alleging non-compliance of the Order
dated 20th April, 2011 of CGRF, Kolhapur Zone.**

**Shri V. P. Raja, Chairman
Shri Vijay L. Sonavane, Member**

Shri Ashok Susuruddin Nadaf
Complainant

.....

V/s

Maharashtra State Electricity Distribution Co. Ltd.,
Through its 1.Executive Engineer, & Nodal officer (Vishrambaug), Sangli
2. Executive Engineer, (Kavathemahakal)

.....Opponent

ORDER

Date: 4th November, 2011

Shri Ashok Susuruddin Nadaf, the Complainant, a resident of Gholeshwar, Taluka Jat, Dist. Sangli, filed a complaint on 23rd August, 2011 against the Maharashtra State Electricity Distribution Company Ltd. (“MSEDCL”). The Complainant has alleged that the Opponent has failed to comply with the Order dated 20th April, 2011 of the Consumer Grievance Redressal Forum (“CGRF” or “Forum”), Kolhapur Zone. The Complainant has sought to invoke penal provisions under Section 142 of the Electricity Act, 2003 against the Opponent.

2. The prayers of the Complainant are as follows:

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१) प्रतिवादी यांनी मा. कोल्हापूर मंच यांचे आदेशांचे त्वरीत पालन करण्याचे आदेश व्हावेत ही विनंती. पारीत झालेल्या आदेशाप्रमाणे प्रतिवादी यांनी वादी यांना जादा रोहित करूनच वीज जोडणी द्यावी असा आदेश व्हावा ही विनंती.

- २ ग्राहक तक्रार निवारण मंच व विद्युत लोकपाल विनियम, २००६ च्या कलम २२ मधील तरतुदी नुसार अधिनियमाच्या कलम १४२ नुसार कारवाई व्हावी ही विनंती.
- ३ इतर योग्य ते न्यायाचे आदेश वादी यांच्या वतीने व्हावेत ही विनंती.
४. जरूर तर याचिकेत दुरुस्तीस परवानगी असावी ही विनंती.
५. प्रतिवादी यांनी मा. राज्य आयोगाचा आदेश केस क्र. १५/२००७ दि. ०१ नोव्हेंबर २००७ चे पालन केलेले नाही याची निष्चीती व्हावी व या बाबत प्रतिवादी यांचेवर योग्य ती कारवाई व्हावी ही विनंती.
६. ही याचीका दाखल करणेकामी वादी याना झालेल्या त्रासा पोटी व खर्चा पोटी मा. आयोग निष्चीत करेल अशी रक्कम प्रतिवादी यानी वादी याना देणेचा आदेश व्हावा हि विनंती. ”

3. The Complainant in its complaint has briefly stated as under:
 - i. The Complainant submitted an application to the Executive Engineer, (Kavathemahakal) of MSEDCL for an electricity connection of 3HP load, for Agriculture pump located at Gat No.245, at Gholeshwar. The Opponent gave the approved Quotation/ Demand Note No.1488 dated 07th August 2010, where installation of transformer, HT and LT lines, was covered.
 - ii. The Complainant approached the Internal Grievance Redressal Cell, (IGRC), Sangli on 1st Sept., 2010 with a request that the supply should be provided soon. IGRC passed its Order dated 11th Oct., 2010 directing the Opponent to provide supply by extension of LT line.
 - iii. The Opponent has to provide the supply within 3 months as per the 'Standard Of Performance'(SOP) Regulations, 2005, by extending the line. The Opponent failed to comply with the IGRC's Order as the supply was not extended within 3 months and hence approached the CGRF, Kolhapur Zone on 9th February 2011.
 - iv. However, according the CGRF, Kolhapur Zone, the supply required erection of HT and LT lines as well as transformer for which a period of one year is provided in the SOP Regulations, 2005. Accordingly, the CGRF passed its Order dated 20th April, 2011, inter alia as follows:
 - “ १) अंतर्गत ग्राहक तक्रार निवारण कक्ष, सांगली यांचा निर्णय रद्द करण्यात येत आहे.
 - २) रोहित्रासह एच.टी. व एल.टी. लाईनची उभारणी करुन दि. १.८.२०११ पर्यंत वीज जोडणी देणेत यावी.
 - ३ भरपाईची मागणी फेटाळण्यात येत आहे.
 - v. In accordance with CGRF Order, the Opponent is yet to provide supply by erecting the required transformer and LT line. Hence CGRF order has not been complied.

- vi. The Opponent has failed to comply with the Commission's Order dated 1st November, 2007 in Case No.15 of 2007 in regard to the augmentation of transformers.
4. The Commission vide Notice dated 16th September 2011 scheduled a hearing in the matter on 3rd October, 2011.
5. Meantime, the Complainant submitted its Affidavit, dated 30th Sept., 2011, and the Opponent submitted its Affidavit on 30th Sept., 2011. The submissions made in these Affidavits are brought out, in brief, hereinbelow:
- (i) The Opponent has given the electricity connection on 29th September 2011 after completing work on the HT line and the transformer, and hence his Complaint has been redressed. The Complainant requested the Commission to allow it to withdraw its Complaint.
- (ii) The Opponent explained the procedure followed for giving the supply to the Complainant in this matter. The Opponent submitted that the electricity connection has been given to the Complainant on 29th Sept., 2011. The Opponent submitted that there was no intention on the part of the Opponent to contravene the Order passed by the CGRF. The Opponent requested the Commission to dismiss the case, and to not take any action against it under Section 142 of EA2003.
6. During the hearing held by the Commission, on 3rd October, 2011, no body appeared on behalf of the Complainant, whereas MSEDCL's Shri V. R. Kamble, Executive Engineer; Shri R. R. Tilak, Assistant Engineer; and Shri A. K. Kulkarni, Junior Engineer, appeared on behalf of the Opponent. The Opponent reiterated the submission made through the abovementioned Affidavit.
7. In view of the above affidavits from the Complainant and the Opponent, nothing survives in the matter. In any case, the Complainant has sought to withdraw its complaint.

Accordingly, the Complaint in Case No. 123 of 2011, stands dismissed as withdrawn.

Sd/-
(Vijay L. Sonavane)
Member

Sd/-
(V. P. Raja)
Chairman