

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1823 OF 2018
IN
WRIT PETITION NO.2756 OF 2015**

Smt. Madoo Nuzhat Mateen

...Petitioner.

Vs.

Torrent Power Ltd. and anr.

...Respondents.

Mr. Momin Nisar with H. J.Jain for the Applicant.

Mr. A.A. Alaspurkar for Respondent No.1.

Smt. Anjali Baxi for Respondent No.2.

Smt. Rupli Shinde, AGP. for Respondent No.3.

CORAM: R.M.BORDE AND R.G. KETKAR, JJ.

DATE : 13th February, 2019

PC :

1. The applicant herein is seeking review of the order passed by this court on 4.1.2018 disposing of the writ petition presented by the petitioner with liberty to avail of the remedies as may be available in law. It was pointed out to us by the respondents that, there is alternate

remedy available for redressal of the grievances raised by the petitioner in the petition.

2. Respondent No.1 has presented an affidavit wherein it has been stated that the petitioner would be covered by the definition recorded in Regulation 2.3 (4) and Section 2(1)(b) of the Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005. It is further recorded that, the petitioner has a remedy available to approach the Internal Grievance Redress Cell (IGRC).

3. In this view of the matter, it would be open for the petitioner to tender appropriate application setting out his grievances before the IGRC and if the petitioner tenders such application/complaint to the IGRC, within a period of two weeks from today, the said Cell shall decide the application of the petitioner on its own merits and in accordance with law as expeditiously as possible and preferably within a period of four weeks from the date of receipt of the application after

extending an opportunity of hearing to all the parties concerned. We further direct that, the grievances of the petitioner shall be dealt with on its own merits and shall not be turned down on the ground of bar of limitation.

4. The parties appearing before us . i. e. respondents agree that IGRC has jurisdiction to deal with the issue and the grievance raised by the petitioner in the instant petition shall not be turned down by the Internal Grievance Redress Cell on the ground of competency and bar of limitation. If the IGRC records the order adverse to the interest of the petitioner they may have an remedy available in law to approach the Consumer Redressal Forum, which remedy can be availed by petitioner.

5. In view of directions as recorded above, civil application is disposed off.

(R.G. KETKAR, J.)

(R.M. BORDE, J.)

