



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition (WP) No. 7968 of 2018

Maharashtra State Electricity Distribution Company Limited through its
Superintending Engineer, Amravati

Versus

M/s Sadguru Ginning & Pressing Factory, through its Director Shri
S.N.Bharsakale and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.V.Purohit, Advocate for the petitioner.

CORAM : ANIL S. KILOR, J.
DATED : 4th SEPTEMBER, 2023.

Heard.

2. None for the respondent though served.
3. In the present matter, impugned order dated 12th October, 2018 passed by the learned Consumer Grievance Redressal Forum, Amravati Zone, Amravati in Case No. 25 of 2018, is under challenge.
4. The only argument made is that learned Consumer Grievance Redressal Forum, Amravati has not considered the issue of limitation.
5. It is submitted that HT level connection was granted in the year 2012 and the grievance was raised on 24th April, 2018 before the IGRC, Amravati

and thereby prayed for refund of infrastructure costs and thereafter the complaint was filed before the Consumer Grievance Redressal Forum, Amravati.

6. Shri Purohit, learned counsel for the petitioner submits that though the point of limitation was not raised before the Consumer Forum but Consumer Forum was duty bound to look into.

7. It is submitted as per settled law it is not only necessary to approach before the Consumer Forum within two years from the date of order of IGRC, but even it is necessary to approach IGRC within two years from the cause of action.

8. In the circumstances, as it is evident that the point of limitation was not considered by the Consumer Forum, I am of the opinion that to meet the ends of justice, the matter needs to be remanded back to the Consumer Forum for deciding it afresh after considering the issue of limitation. Accordingly, I pass the following order.

- i. Writ petition is partly allowed;
- ii. Order dated 12th October, 2018 passed by the Consumer Grievance Redressal Forum, Amravati in Case no. 25 of 2018 is hereby quashed and set aside;

iii. Consumer Grievance Redressal Forum, Amravati shall decide the matter afresh after hearing both the parties.

[ANIL S. KILOR, J.]