



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

WRIT PETITION NO.2270 OF 2019

(Maharashtra State Electricity Distribution Company Ltd., thr. its Executive Engineer,
Pusad, Dist. Yavatmal Vs. Manish s/o Ramvilas Malani and another)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. S. V. Purohit, Advocate for Petitioner.
None for Respondents.

CORAM: ANIL L. PANSARE, J.

DATE: 11th MARCH, 2025.

1. The challenge is to the order dated 29.06.2018 passed by the Consumer Grievance Redressal Forum, Amravati directing the petitioner to refund the infrastructure costs which the respondents had incurred in the year 2013.

2. Learned counsel for petitioner submits that the connection was released on 04.03.2013. The respondent no.1 approached the Internal Grievance Redressal Cell (for short 'IGRC') on 02.02.2018 i.e. after about 5 years of the cause of action. The IGRC rejected the claim. The respondent no.1 then approached the Consumer Grievance Redressal Forum, Amravati which was pleased to partly allow the grievance therefore, the petitioner is before this Court.

3. Learned counsel for the petitioner submits that apart from various grounds raised in the petition, the order

impugned is liable to be set aside on the ground that the aspect of limitation has not been considered in consonance with the Maharashtra Electricity Regulatory Commission, 2006 (for short 'MERC 2006'). Regulation No.6.6 of the MERC, 2006 provide that the consumer forum shall not admit any grievance unless it is filed within two years from the date from which cause of action has arisen.

4. In the present case, the cause of action has arisen in the year 2013. However, the respondent no.1 approached IGRC and Consumer Redressal Forum in the year 2018.

5. None is appearing for the respondents though served and opportunity given to him, and therefore, submissions made by the petitioner remained uncontroverted. Even otherwise, from the record it appears that cause of action to file grievance arose in the year 2013. The respondents approached the IGRC and the Consumer Redressal Forum in the year 2018. The dispute, therefore, was barred by limitation.

6. In view of above, the petition is allowed. The impugned order is quashed and set aside.

7. The petition is disposed of in the above terms. No order as to costs.

(ANIL L. PANSARE, J.)