

BEFORE THE ELECTRICITY OMBUDSMAN
(For the State of Goa and Union Territories)
Under Section 42 (6) of the Electricity Act, 2003
3rd Floor, Plot No. 55-56, Udyog Vihar - Phase IV, Sector 18
Gurugram (Haryana) 122015,
Email ID: ombudsman.jercuts@gov.in
Phone No.:0124-4684708

Appeal No-282 of 2026

Date of Hearing: 18.08.2026
Mode: Videoconferencing
Date of Order: 24.08.2026

In the matter of

1. Khalpabhai Bhanabhai Patel
S/o Late Bhanabhai Karsanbhai Patel
R/o Village Dalwada, Prakash Falia,
Near Brahmadev Temple, Nani Daman
Vai-Vapi Daman 396210
Mobile No 9979496034

... Appellant

Versus

1. The Assistant Director of Torrent Power of DNHDD,
O/o Magarwada Near Patlara Bridge,
Moti Daman, Moti Daman, 396210
2. Harshadbhai Kantibhai Patel
S/o Late Kantibhai Ranchhodbhai Patel,
R/o Village Bhenstore, Koliwad, Nani Daman,
Vai-Vapi Daman 396210.
3. The Consumer Grievance Redressal Forum,
DNHDD PDCL, 2nd floor Power House Bldg.,
Near Satyanarayan Temple,
Nani Daman, Vai-Vapi, Daman 396210.

...Respondent(s)

***In the Matter of: Appeal against the order dated 18.06.2026 passed by the CGRF, Daman,
Dist Daman in Case No. DNHDD/CGRF2026-27/8***

Present:

1. Khalpabhai Bhanabhai Patel,
2. Mr. Yogesh Patel, SGM (Daman),
Torrent Power of DNHDD.

... Appellant in person

...Respondent



ORDER

The present representation was filed on 21.07.2026 under Section 42(6) of the Electricity Act, 2003 read with Regulations 35 and 36 of the Joint Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2024, (hereinafter referred to as the "JERC CGRF & Ombudsman Regulations, 2024"), challenging the order dated 18.06.2026 passed by the Learned Consumer Grievance Redressal Forum, DNHDD at Daman, (hereinafter referred to as the "CGRF") in Case No. DNHDD/CGRF 2026-27/8.

Upon scrutiny, and being satisfied that the representation fulfilled the requirements prescribed under the Regulations, the same was admitted and notice was issued on 23.07.2026. A copy of the representation was forwarded to the Respondent-Assistant Manager, Distribution, DNHDD Power Distribution Corp. Ltd. Silvasa calling upon them to submit their reply/comments.

The AGM, Distribution Daman vide his letter dated 12th August, 2026 has filed the comments/ reply to the petition filed by the Appellant which is taken on record along with other supporting documents.

I. Submissions on behalf of the Appellant

1. The Appellant submits that he is the owner/occupier of agricultural land situated at Village Marwad and that he had developed a farmhouse and agricultural facilities thereon, including wells/borewells and plantation. According to him, Electricity Connection No. 743109402 was obtained in his name in or about the year 1985 for agricultural purposes and was continuously utilised for such purposes.

The Appellant further submits that the connection was subsequently treated/converted as a domestic connection by the electricity authorities around the year 2012, allegedly without issuing any notice to him or following the procedure contemplated under law. He contends that he repeatedly approached the concerned electricity authorities for restoration of the connection to the agricultural category and that, following an inspection/inquiry in or about 2019, the connection was again treated as an agricultural connection.

The Appellant submits that, after the alleged conversion of the connection from agricultural to domestic category, domestic charges continued to be reflected in the bills. He disputes his liability towards such domestic billing and states that he had already deposited an amount of approximately Rs.95,000/- towards the agricultural electricity dues.

According to the Appellant, despite his objections, the Respondent continued to raise/recover amounts relating to the disputed domestic billing, including interest. The Appellant submits that this dispute ultimately led to the institution of Special Civil Suit No. 21/2019 before the Court of the Civil Judge (Senior Division), Daman.



The Appellant contends that the issue relating to categorisation of his electricity connection and the consequential billing dispute therefore preceded the subsequent disconnection and was already the subject matter of judicial proceedings.

2. The Appellant submits that he instituted **Special Civil Suit No. 21/2019** before the competent Civil Court at Daman and also preferred an application for interim injunction seeking protection against disconnection of his electricity supply.
3. According to the Appellant, an interim injunction/stay order was granted in his favour. He further submits that, despite the pendency of the said proceedings and the protection granted by the Civil Court, the electricity connection was subsequently disconnected, compelling him to institute proceedings alleging disobedience/non-compliance of the order of the **Civil Court, being Civil Miscellaneous Application No. 33/2020**.
4. The Appellant has relied upon the aforesaid proceedings to contend that the Respondents were aware of the subsisting litigation concerning his electricity connection.
5. Order dated 24.02.2023 and subsequent appeal
6. The Appellant submits that during the pendency of the civil proceedings, Respondent No. 1 filed an application under Order VII Rule 11 of the Code of Civil Procedure seeking rejection of the plaint. The Civil Court, by order dated 24.02.2023, rejected the plaint.
7. Aggrieved by the said order, the Appellant preferred **Regular Civil Appeal No. 4/2023 before the Learned Principal District Judge, Daman**. The Appellant states that the said appeal was ultimately allowed by judgment and decree dated 06.05.2026, whereby the order dated 24.02.2023 was set aside and the civil suit was restored for further proceedings.
8. On this basis, the Appellant submits that, as on the date of the subsequent events concerning the electricity connection, the dispute between the parties was the subject matter of pending judicial proceedings and the Respondents were fully aware of the same.
9. Alleged disconnection of electricity supply on 12.12.2025. The principal grievance of the Appellant is that his electricity connection was disconnected on 12.12.2025.
10. The Appellant submits that on the said date officials/staff of Respondent No. 1 allegedly visited the premises along with Respondent No. 2 and proceeded to disconnect the electricity supply. According to the Appellant, he produced before the officials the orders/proceedings relating to the pending civil litigation and also drew their attention to proceedings before the Hon'ble High Court of Bombay.
11. The Appellant contends that he specifically requested the Respondents to furnish the written order of the competent authority allegedly authorising disconnection of the electricity supply. According to him, no such written order was produced at the site and the connection was nevertheless disconnected.



12. Proceedings concerning land acquisition and writ petition. The Appellant submits that proceedings concerning acquisition of land at Village Marwad were also pending before the competent authorities and before the Hon'ble High Court of Bombay.

According to the Appellant, he and other affected landowners/farmers had challenged the acquisition proceedings by filing **Writ Petition No. 6695/2025 before the Hon'ble High Court of Bombay**. The Appellant relies upon orders passed in the said proceedings and submits that no order was passed by the Hon'ble High Court specifically directing disconnection of his electricity connection.

The Appellant further contends that there was no written direction, issued by the Land Acquisition Officer/Collector or any other competent authority, specifically directing Respondent No. 1 to disconnect his electricity connection.

On this basis, the Appellant disputes the Respondents' justification that the disconnection was connected with demolition/acquisition activity and submits that the disconnection was undertaken without a specific competent order authorising the same.

13. The Appellant specifically contends that no prior written notice was issued to him before disconnection of the electricity supply. According to the Appellant, the Respondents were required to comply with the applicable statutory/regulatory procedure before discontinuing the electricity supply and that no sufficient notice was afforded to him.

The Appellant further contends that the absence of prior notice assumes significance because, according to him, there was no immediate or emergent situation warranting disconnection without following the ordinary procedure.

14. The Appellant submits that, at the time of the alleged disconnection, he had brought to the notice of the Respondents the various judicial proceedings concerning the property and electricity connection.

He contends that the Respondents were therefore under an obligation to verify the status and effect of the orders passed by the competent Courts before taking coercive action against his electricity connection.

The Appellant alleges that, despite being informed about the pending proceedings and despite being shown copies of the relevant orders, the Respondents proceeded with the disconnection.

15. The Appellant's specific case is that the Respondents have not produced any written order of the Land Acquisition Officer, Collector, Government authority or the Hon'ble High Court specifically directing disconnection of Electricity Connection No. 743109402.

He therefore submits that the Respondents cannot justify the disconnection merely by referring generally to the acquisition/demolition activity in the area without demonstrating the precise legal authority under which the electricity supply was disconnected.



The Appellant further submits that the subsequent communications relied upon by the Respondents, including letters dated 23.02.2026 and 19.05.2026, cannot retrospectively validate a disconnection which, according to him, had already taken place on 12.12.2025 without due process.

16. The Appellant submits that immediately after the alleged disconnection, he approached the concerned authorities and lodged a complaint on 16.12.2025, requesting restoration of the electricity supply. According to the Appellant, despite repeated representations and personal approaches, the electricity connection was not restored and no effective written response was furnished to him for a considerable period.

The Appellant further submits that Respondent No. 1 subsequently indicated that a fresh electricity connection could be considered subject to the requisite permissions and safety requirements. He states that he accordingly submitted an application for reconnection/fresh connection on 18.02.2026, but the same was allegedly not acted upon.

17. The Appellant submits that the electricity connection was being utilised for agricultural activities, including irrigation of plants and plantation. He contends that, as a consequence of disconnection of electricity and consequent non-availability of water for irrigation, the plants/plantation were damaged or destroyed, causing him financial loss. He has quantified the alleged loss/damages at Rs.1,00,000/- and seeks compensation/damages from the Respondents. The Appellant submits that the said claim was placed before the Learned CGRF but, according to him, was not properly considered.

18. The Appellant submits that, upon failure of the Respondents to restore his electricity supply or provide an effective resolution, he approached the Learned CGRF, DNHDD, by filing Case No. DNHDD/CGRF/2026-27/8. He states that he placed before the Learned CGRF the relevant civil court proceedings, the proceedings before the Hon'ble High Court of Bombay, copies of the orders relied upon by him, his representations to the electricity authorities and his written submissions. According to the Appellant, despite the material placed on record, the Learned CGRF rejected his grievance by order dated 18.06.2026.

19. The Appellant submits that the impugned order suffers from an erroneous appreciation of the factual and legal position and that the Learned CGRF failed to adequately consider the following material aspects:

- a. the historical existence and use of the electricity connection;
- b. the dispute regarding its alleged conversion from agricultural to domestic category;
- c. the pending civil proceedings concerning the connection and the property;
- d. the orders passed by the Civil Court and the Learned Principal District Judge, Daman;
- e. the proceedings pending before the Hon'ble High Court of Bombay;



- f. the absence, according to the Appellant, of any specific written order directing disconnection of his electricity connection;
 - g. the alleged non-issuance of prior notice before disconnection;
 - h. the circumstances in which the connection was disconnected on 12.12.2025; and
- 20. The Appellant further submits that the stand taken by Respondent No. 1 before the Learned CGRF itself demonstrates that the electricity connection was disconnected in the context of demolition/acquisition activities. According to the Appellant, the Respondent has not produced any specific order of the competent authority authorising the disconnection of his individual electricity connection. The Appellant therefore contends that the explanation offered by the Respondent does not establish lawful authority for the particular action of disconnection.
- 21. The Appellant disputes the reliance placed upon communications issued by Respondent No. 1 subsequent to the disconnection, particularly the letters dated 23.02.2026 and 19.05.2026. According to the Appellant, such communications were issued after the electricity supply had already been disconnected and cannot cure the alleged procedural illegality committed at the time of disconnection.
- 22. The Appellant accordingly submits that the legality of the action is required to be examined with reference to the circumstances and authority existing on the date on which the electricity supply was actually disconnected.
- 23. The Appellant further submits that the change in categorisation of his electricity connection from agricultural to domestic use was allegedly undertaken without notice and without following the procedure contemplated under Section 126 of the Electricity Act, 2003. He therefore seeks consideration of his grievance regarding the historical categorisation and billing of the connection and contends that the domestic bills raised pursuant to such alleged unauthorised conversion ought not to have been treated as binding upon him. The Appellant submits that the Learned CGRF failed to properly consider the documents produced by him, including the orders passed by the Civil Courts and the Hon'ble High Court of Bombay and the various representations made to the Respondents.
- 24. According to the Appellant, the impugned order has therefore been passed without adequate consideration of the complete factual background and the material relied upon by him.
- 25. The Appellant has, inter alia, urged that the Learned CGRF:
 - a. failed to appreciate the material facts of the case;
 - b. failed to properly examine the reasons furnished by the Respondents for disconnection;
 - c. failed to appreciate the Appellant's contention regarding the applicability of Section 126 of the Electricity Act, 2003;



- d. failed to examine whether the disconnection was carried out in accordance with the applicable legal procedure;
- e. failed to adequately consider the pendency of proceedings before the Civil Court, the Learned Principal District Judge, Daman and the Hon'ble High Court of Bombay;
- f. failed to properly appreciate the documents and judicial orders produced by the Appellant;
- g. failed to consider the Appellant's contention regarding non-issuance of prior notice;
- h. proceeded to decide the matter without, according to the Appellant, requiring production of the relevant authorisation/order relied upon by the Respondents for disconnection;
- i. failed to adequately consider the Appellant's claim for damages of Rs.1,00,000/-; and
- j. failed to properly consider the Appellant's grievance regarding the alleged conversion of his electricity connection from agricultural to domestic category and the subsequent disconnection.

26. On the aforesaid grounds, the Appellant prays that the present Representation be allowed and the order dated 18.06.2026 passed by the Learned CGRF in Case No. DNHDD/CGRF/2026-27/8 be set aside.

The Appellant further seeks a direction upon Respondent No. 1 for restoration/reconnection of his electricity supply, subject to such conditions as may be prescribed by the competent authority and in accordance with the applicable law.

The Appellant also seeks payment of damages/compensation of Rs.1,00,000/- on account of the alleged loss suffered by him due to disconnection of the electricity supply and consequent damage to his agricultural plantation.

II. SUBMISSIONS ON BEHALF OF RESPONDENT NO. 1

DNHDD POWER DISTRIBUTION CORPORATION LIMITED

1. At the outset, Respondent No. 1 submits that, save and except the facts and submissions expressly admitted herein, all allegations, averments, submissions and contentions made by the Appellant in the present Representation are denied as false, incorrect, misconceived and/or not admitted. The Appellant is put to strict proof of all allegations made by him.
Respondent No. 1 submits that the present Representation is devoid of merit and does not disclose any ground warranting interference with the order passed by the Learned Consumer Grievance Redressal Forum, DNHDD.
2. Respondent No. 1 submits that DNHDD Power Distribution Corporation Limited took over the electricity distribution business in the Union Territory of Dadra and Nagar Haveli and Daman and Diu with effect from 01.04.2022.



It is submitted that Respondent No. 1 was not the distribution licensee during the period when several of the events relied upon by the Appellant allegedly occurred. Respondent No. 1 states that, at the time of takeover, it did not receive the court-case documents or the relevant records concerning the litigation referred to by the Appellant and was not aware of such proceedings until the events leading to the present dispute.

Accordingly, Respondent No. 1 submits that allegations relating to actions or omissions of the erstwhile distribution entity, particularly those concerning the period prior to 01.04.2022, cannot automatically be attributed to Respondent No. 1.

3. Respondent No. 1 further submits that, despite being aware of the change in the distribution arrangement, the Appellant did not take steps to implead or substitute Respondent No. 1 in the pending civil proceedings concerning the electricity connection.

It is therefore submitted that Respondent No. 1 cannot be called upon, in the present proceedings, to answer for acts allegedly committed by the erstwhile distribution entity or to act upon orders passed in proceedings to which Respondent No. 1 was not a party.

4. Respondent No. 1 submits that the Appellant himself has disclosed the pendency of proceedings before the Civil Court at Daman and before the Hon'ble High Court of Bombay concerning issues relating to the property, billing and land acquisition.

It is contended that the present proceedings substantially arise from the same factual matrix and that the jurisdiction of the consumer grievance redressal mechanism is circumscribed by Regulation 16(1) of the JERC (CGRF and Ombudsman) Regulations, 2024.

Respondent No. 1 relies upon Regulation 16(1), which provides, inter alia, that the Forum shall not entertain a grievance where the same subject matter is pending before any Court of law, authority or other Forum, or where a decree, award or final order has already been passed.

On this basis, Respondent No. 1 submits that issues which are directly and substantially connected with the pending civil and land-acquisition proceedings ought not to be re-agitated before the consumer grievance redressal mechanism.

5. Respondent No. 1 has also placed reliance upon the judgment/order of the Hon'ble High Court of Andhra Pradesh in W.P. No. 42149 of 2022, *Sardar Srinivas Seetharam Singh v. State of Andhra Pradesh*, decided on 12.09.2023, to contend that issues already pending before a competent Civil Court should not simultaneously be adjudicated by the consumer grievance redressal mechanism.

Respondent No. 1 submits that, although the factual circumstances may not be identical, the principle regarding avoidance of parallel adjudication of the same subject matter is relevant to the present case.



6. Respondent No. 1 submits that the land bearing Survey No. 379/4, in respect of which the Appellant claims rights and upon which the electricity connection was situated, forms part of the land acquired by the Union Territory Administration of Dadra and Nagar Haveli and Daman and Diu pursuant to the relevant acquisition proceedings.

According to the records relied upon by Respondent No. 1, the acquisition was notified through Official Gazette Notification No. 65-03-LAQ-2022-23/199, wherein the relevant survey number is stated to have been included.

Respondent No. 1 further submits that the ownership records available with it reflect the land in question in the name of the Government of India, Ministry of Defence.

7. The material circumstance relied upon by Respondent No. 1 is that it received a communication from the Mamlatdar, Daman dated 04.12.2025, informing it that demolition activity was scheduled to be undertaken on 12.12.2025 in the area comprising Survey No. 379/4 and adjoining areas and requesting disconnection of power supply in the affected area.

Respondent No. 1 submits that, upon its officials reaching the site on 12.12.2025, large-scale demolition activity was found to be in progress.

In view of the circumstances prevailing at the site, Respondent No. 1 submits that continuation of live electrical supply in the affected area presented potential risks to human life, property, demolition personnel and electrical infrastructure.

8. Respondent No. 1 emphatically submits that the disconnection of Service Connection No. 743109402 was not undertaken on account of any billing default, alleged misconduct or dispute regarding the Appellant's electricity dues.

According to Respondent No. 1, the connection was disconnected along with other electricity connections situated in the affected area as a **precautionary safety measure** in the backdrop of the demolition activity.

Respondent No. 1 therefore submits that the action was temporary and safety-oriented in nature and was not intended to permanently deprive the Appellant of electricity supply.

9. Respondent No. 1 relies upon Section 53 of the Electricity Act, 2003, the applicable provisions of the JERC Electricity Supply Code, 2018, and the Central Electricity Authority safety regulations. It is submitted that the statutory framework places obligations upon the distribution licensee to take appropriate measures for protecting the public against dangers arising from the generation, transmission, distribution and use of electricity and to reduce the risk of personal injury or damage to property.

Respondent No. 1 submits that, once it was informed about the proposed demolition activity and, upon reaching the site, found demolition work actually in progress, it was required to take



appropriate preventive measures to protect life, property, electrical infrastructure and persons engaged in the demolition activity.

10. Respondent No. 1 submits that the Appellant's electricity connection was not singled out for any extraneous reason.

The Respondent states that multiple service connections situated within the affected area were disconnected as a precautionary measure. The action was therefore neither discriminatory nor directed specifically against the Appellant.

Respondent No. 1 denies that it had any vested interest, mala fide motive or extraneous consideration in disconnecting the Appellant's electricity connection.

11. Respondent No. 1 further submits that it had received communications from the Indian Coast Guard Air Station, Daman concerning shifting of LT/HT electrical lines passing through the land acquired for the Airport Runway Extension.

According to Respondent No. 1, these communications further demonstrate the existence of an operational and safety-related issue concerning electrical infrastructure in the acquired area.

Respondent No. 1 submits that it received a representation from the Appellant dated 04.02.2026, which was incorrectly addressed to the Consumer Court/DNHDDPDCL.

The Respondent states that, by communication dated 13.02.2026, the Appellant was informed of the reasons for disconnection and was also apprised of the appropriate grievance-redressal mechanism.

Respondent No. 1 submits that it subsequently received the Appellant's request for reconnection. According to Respondent No. 1, the Appellant was informed that restoration of electricity supply could be considered upon furnishing the requisite clearance/no-objection from the competent authority and upon satisfaction of the applicable safety requirements. Respondent No. 1 states that the requisite approval/NOC has not been furnished by the Appellant till date.

12. Respondent No. 1 submits that it is not refusing restoration of supply as a matter of principle. Rather, considering that the premises fall within an area affected by Government acquisition and demolition activity, restoration can only be undertaken after the competent authority certifies/permits restoration and the site is found compliant with applicable electrical safety requirements.

Respondent No. 1 submits that restoration of supply without such clearance may expose persons, property and electrical infrastructure to risk and may itself be contrary to the statutory safety obligations imposed upon a distribution licensee.

13. Respondent No. 1 submits that the Appellant has repeatedly been advised to obtain the requisite NOC/clearance from the competent Government authority. Despite such



communication, the Appellant has not furnished the required clearance or demonstrated compliance with the safety conditions necessary for restoration. Respondent No. 1 therefore submits that, in the absence of such clearance and safety compliance, no direction for unconditional restoration of supply ought to be issued.

With regard to the Appellant's contention that the electricity connection was originally an agricultural connection and was subsequently converted into a domestic/residential connection, Respondent No. 1 submits that the connection was received in its migration records as a residential connection and continues to be categorised accordingly.

Respondent No. 1 states that it has not received any application from the Appellant for change of category or purpose of use during the period for which Respondent No. 1 has been the distribution licensee.

The electricity bills available with Respondent No. 1 reflect the connection as a residential connection.

14. Respondent No. 1 submits that several allegations concerning conversion of the connection, historical billing and events preceding its takeover relate to the period of the erstwhile distribution entity.

Respondent No. 1 was not the distribution licensee at the relevant time and therefore cannot properly respond to factual allegations concerning acts allegedly undertaken by the erstwhile entity.

It is further submitted that the historical billing dispute has already been raised by the Appellant in civil proceedings and is not the cause for the disconnection presently under consideration.

15. Respondent No. 1 specifically submits that the reason for disconnection on 12.12.2025 was not non-payment of electricity dues or any billing dispute. The disconnection was occasioned by the prevailing site conditions, the demolition activity and the consequential safety concerns.

Therefore, the Appellant's submissions concerning the historical domestic/agricultural billing dispute cannot, according to Respondent No. 1, constitute a basis for directing reconnection in the circumstances in which the supply came to be disconnected.

16. Respondent No. 1 submits that the Appellant has attempted to combine several distinct disputes in the present proceedings. The issues concerning:

- (i) historical categorisation of the electricity connection;
- (ii) disputed billing raised by the erstwhile distribution entity;
- (iii) the pending civil suit;
- (iv) the land acquisition proceedings; and
- (v) the safety-related disconnection on 12.12.2025 are distinct factual and legal issues.



According to Respondent No. 1, the present dispute is essentially concerned with whether electricity supply can safely and lawfully be restored at the premises situated in the acquired/demolition-affected area.

17. Respondent No. 1 submits that the Appellant has himself placed reliance upon several judicial proceedings pending before the Civil Court at Daman and the Hon'ble High Court of Bombay.

Respondent No. 1 submits that the consumer grievance redressal mechanism cannot be converted into a parallel forum for determination of questions concerning title to property, validity of land acquisition, possession of acquired land, effect of orders passed in civil proceedings or matters falling exclusively within the jurisdiction of the competent Courts.

It is therefore submitted that, to the extent the Appellant seeks determination of such questions, the same cannot appropriately be adjudicated in the present proceedings.

Respondent No. 1 further submits that it was not a party to the original civil proceedings relied upon by the Appellant. Consequently, Respondent No. 1 cannot be held to have violated or disobeyed an order passed in proceedings to which it was not a party, particularly where the order is sought to be enforced against Respondent No. 1 without its impleadment/substitution in the relevant proceedings.

18. Respondent No. 1 submits that, having regard to the Appellant's own case, the dispute is closely connected with the land acquisition and demolition proceedings undertaken by the Government authorities.

Respondent No. 1 therefore submits that the Union of India/concerned competent Government authority is a necessary and/or proper party for effective adjudication of any relief which may affect the status, possession, use or control of the acquired premises.

Reliance is placed by Respondent No. 1 upon the principle concerning necessary parties as discussed by the Hon'ble Supreme Court in *Moreshwar Yadaorao Mahajan v. Vyankatesh Sitaram Bhedi*, Civil Appeals Nos. 5755 and 5756 of 2011.

19. Respondent No. 1 categorically denies the allegation that the disconnection was mala fide, arbitrary or motivated by any extraneous consideration.

The Respondent submits that the action was taken in the context of a specific communication from the local competent authority regarding demolition activity and after the Respondent's officials found demolition activity actually taking place at the site. The disconnection was therefore a safety-oriented operational measure and was not directed against the Appellant personally.

Respondent No. 1 submits that no deficiency in service can be attributed to it merely because electricity supply was temporarily disconnected in circumstances where continuation of supply was considered unsafe.



On the contrary, the Respondent submits that failure to disconnect the supply in an area where demolition activity was in progress could itself have exposed the licensee to serious safety consequences.

Respondent No. 1 denies the Appellant's claim for Rs.1,00,000/- towards alleged loss/damage to plantation or other property.

It is submitted that the Appellant has not established any actionable deficiency in service, negligence or unlawful conduct on the part of Respondent No. 1 so as to sustain a claim for compensation.

The Respondent further submits that the alleged loss, its quantum and its causal connection with the temporary disconnection have not been established by any legally sufficient evidence.

20. Respondent No. 1 submits that the Appellant had already approached the Learned CGRF in Complaint No. DNHDD/CGRF/C.G. No. 1/2026-27.

The matter was duly considered by the Learned CGRF after affording opportunity of hearing to the concerned parties and after considering the pleadings, submissions and documents placed on record.

The Learned CGRF thereafter passed its order on the issues raised before it.

Respondent No. 1 submits that the allegations made by the Appellant questioning the competence, fairness or impartiality of the Learned CGRF are wholly unfounded and unsupported by the record.

The Respondent submits that the Learned CGRF acted in accordance with the applicable statutory and regulatory framework and followed the prescribed procedure.

The present Appeal, according to the Respondent, merely seeks to re-agitate matters already considered by the Learned CGRF without demonstrating any material error warranting interference.

21. Respondent No. 1 submits that restoration of electricity supply is not being withheld arbitrarily. The Appellant has been repeatedly advised to furnish the requisite clearance/NOC from the competent authority and to ensure compliance with applicable safety requirements. Until such clearance is produced and the site is found technically and legally suitable for restoration, Respondent No. 1 submits that restoration cannot safely be undertaken.

22. The Respondent's case, in substance, is that:

- a) it became the distribution licensee only with effect from 01.04.2022;
- b) several historical disputes relied upon by the Appellant concern the erstwhile distribution entity;
- c) the land in question forms part of an acquired area and is subject to proceedings of the competent Government authorities;



- d) Respondent No. 1 received communication from the Mamlatdar dated 04.12.2025 concerning the demolition activity scheduled for 12.12.2025;
- e) upon reaching the site, large-scale demolition activity was found to be in progress;
- f) the electricity supply to the affected area, including the Appellant's connection, was disconnected as a precautionary measure in the interest of public and electrical safety;
- g) the disconnection was not occasioned by any billing dispute or personal action against the Appellant;
- h) restoration requires requisite clearance/NOC from the competent authority and compliance with applicable safety requirements;
- i) the Appellant has not furnished such clearance/NOC to Respondent No. 1; and
- j) the Appellant has not established any illegality, mala fide, negligence or deficiency in service on the part of Respondent No. 1 warranting compensation or other relief.

23. Respondent No. 1 submits that the order passed by the Learned CGRF does not warrant interference as the Forum considered the dispute in accordance with the applicable statutory and regulatory framework and after providing opportunity to the parties.

It is therefore submitted that the Appellant has failed to demonstrate any jurisdictional error, perversity, violation of natural justice or material irregularity in the impugned order so as to justify its setting aside in appellate proceedings.

In view of the facts and submissions stated hereinabove, Respondent No. 1 that this Hon'ble Authority may consider to:

- a. dismiss the present Representation/Appeal as being devoid of merit and unsustainable in law;
- b. uphold the order dated 18.06.2026 passed by the Learned Consumer Grievance Redressal Forum, DNHDD;
- c. hold that the disconnection of electricity supply was undertaken as a bona fide and temporary precautionary measure in the interest of public safety and electrical safety in the backdrop of the demolition activity at the site;
- d. hold that restoration of supply, if otherwise permissible, may be considered only upon production of the requisite clearance/NOC from the competent authority and fulfilment of applicable statutory, regulatory and technical safety requirements;
- e. reject the Appellant's claim for damages/compensation of Rs.1,00,000/- for want of established liability, negligence, deficiency in service and proof of the alleged loss;
- f. decline to adjudicate questions relating to title, land acquisition, possession or other matters pending before the competent Courts/authorities;



- g. reject the allegations of mala fide, arbitrariness or misconduct against Respondent No. 1 as being unsupported by the material on record;
- h. award costs of the proceedings in favour of Respondent No. 1, if deemed appropriate; and
- i. pass such other or further order(s) as this Hon'ble Authority may deem fit and proper in the facts and circumstances of the case.

PROCEEDINGS

1. The present Representation has been preferred by the Appellant under Section 42(6) of the Electricity Act, 2003 read with Regulations 35 and 36 of the Joint Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2024 (hereinafter referred to as the "JERC CGRF & Ombudsman Regulations, 2024"), assailing the order dated 18.06.2026 passed by the Learned Consumer Grievance Redressal Forum, DNHDD at Daman in Case No. DNHDD/CGRF/2026-27/8.
2. The Representation was admitted and notice was issued to the Respondent. The Respondent, namely DNHDD Power Distribution Corporation Limited, filed its reply/comments dated 12.08.2026, along with supporting documents, which have been taken on record.
3. The matter was taken up for hearing on **18.08.2026 through Video Conferencing**. The Appellant appeared and advanced his submissions. The Respondent was also represented and made submissions in support of its reply.
4. During the course of hearing, the Appellant, while reiterating his grievance regarding disconnection of electricity supply and seeking restoration of the connection and compensation/damages, specifically informed this Authority that the proceedings concerning the subject matter before the **Hon'ble Civil Court at Daman and the Hon'ble High Court of Bombay are still pending** before the respective Courts.
5. The Respondent, on the other hand, submitted that the Appellant's grievance is intertwined with matters already pending before the competent Courts, including the dispute concerning the electricity connection/billing and the proceedings relating to acquisition of the land and the consequent activities at the site. The Respondent accordingly raised an objection regarding maintainability of the present Representation in view of the pending judicial proceedings.
6. The Respondent further submitted that the electricity supply had been disconnected on 12.12.2025 as a precautionary safety measure in the backdrop of demolition activity at the site and that restoration of supply would be subject to requisite clearance/NOC from the competent authority and compliance with applicable safety requirements.
7. The Appellant, in response, maintained that the disconnection was illegal and that no specific order of the competent authority directing disconnection of his electricity connection had



been produced. He also relied upon the various proceedings pending before the Civil Court and the Hon'ble High Court of Bombay in support of his contention that the Respondent ought not to have disconnected the supply.

8. Upon hearing the parties and examining the pleadings and documents placed on record, a preliminary issue arises for consideration before entering into the merits of the Appellant's grievance, namely:

Whether the present Representation is entertainable by the Electricity Ombudsman in view of the admitted pendency of proceedings concerning the same grievance before the competent Courts, particularly in light of Regulation 36(1)(c) of the JERC CGRF & Ombudsman Regulations, 2024?

Since the aforesaid issue goes to the very threshold of the jurisdiction/entertainability of the present Representation, the same is required to be considered first.

FINDINGS AND ANALYSIS

I have carefully considered the Representation filed by the Appellant, the reply/comments filed by Respondent No. 1, the documents placed on record, the submissions advanced during the hearing held on 18.08.2026 and the applicable provisions of the JERC CGRF & Ombudsman Regulations, 2024.

1. The Appellant's substantive grievance relates principally to the disconnection of his electricity connection on 12.12.2025, the circumstances in which such disconnection was affected, the legality and propriety of such action, the entitlement to restoration/reconnection and the consequential claim for compensation/damages.
2. The Respondent has sought to justify the disconnection primarily on the ground of public and electrical safety in view of demolition activity being undertaken at the site and has further submitted that restoration is subject to clearance/NOC from the competent authority and compliance with applicable safety requirements.
3. However, before examining the rival contentions on the merits, it is necessary to determine whether the present Representation can at all be entertained in view of the statutory/regulatory limitation governing the jurisdiction of the Ombudsman.
4. Regulation 36 of the JERC CGRF & Ombudsman Regulations, 2024 prescribes the pre-conditions/limitations for entertaining a representation by the Ombudsman.

Regulation 36(1)(c) specifically provides that a representation may be entertained by the Ombudsman only if:

"the representation by the complainant, in respect of the same grievance, is not pending in any proceedings before any court, tribunal or arbitrator or any other authority or a decree or award or a final order has not been passed by any such court, tribunal, arbitrator or authority;"



5. The language of the aforesaid provision is categorical. The satisfaction of the prescribed pre-conditions is a condition precedent for entertainment of a representation by the Ombudsman. The provision is intended to prevent simultaneous adjudication of the same grievance before multiple fora and to avoid the possibility of conflicting findings/orders by competent adjudicatory authorities.
6. Thus, the question before this Authority is not, at this stage, whether the Appellant's allegations regarding the disconnection are correct or whether the Respondent's justification based on safety considerations is legally sustainable. The first question is whether the Representation satisfies the regulatory condition prescribed for its very entertainment.
7. In the present case, the position regarding pendency of proceedings is not merely based upon an assertion made by the Respondent. During the hearing held on 18.08.2026, the Appellant himself informed this Authority that proceedings before the Hon'ble Civil Court and the Hon'ble High Court of Bombay are still pending.
8. This admission assumes considerable significance because the Appellant's own pleadings demonstrate that the subject matter of the present Representation is closely connected with the disputes and proceedings pending before the said Courts.
9. The Appellant has relied upon the pending civil proceedings in relation to the electricity connection, the dispute concerning the property and the earlier injunction/disconnection proceedings. He has also relied upon the proceedings before the Hon'ble High Court of Bombay concerning the acquisition of the land and the activities being undertaken in the acquired area.
10. The Respondent, in its reply, has also placed reliance upon the acquisition proceedings and the communication of the Mamlatdar dated 04.12.2025 concerning demolition activity in the area, which according to the Respondent constituted the circumstances necessitating disconnection of electricity supply on 12.12.2025.
11. Therefore, the factual and legal circumstances surrounding the disputed disconnection cannot be examined in isolation from the pending proceedings concerning the property, acquisition and the electricity connection.
12. The Appellant's principal relief before this Authority is for setting aside the CGRF order, restoration/reconnection of electricity supply and payment of Rs.1,00,000/- towards alleged damages arising from the disconnection.
13. The legality of the disconnection, however, is sought to be tested by the Appellant substantially on the basis of the pending judicial proceedings, including the orders passed in relation to the property and the alleged protection against actions affecting the premises.



14. Conversely, the Respondent seeks to justify the disconnection by relying upon the Government acquisition of the land, the demolition activity at the site and the safety implications arising therefrom.
15. Consequently, determination of the Appellant's grievance would necessarily require consideration of the effect, scope and legal consequences of the orders/proceedings pending before the competent Courts, particularly in relation to the property, acquisition proceedings, possession/use of the premises and the circumstances in which the electricity supply came to be disconnected.
16. This Authority, while exercising the jurisdiction of the Electricity Ombudsman under Section 42(6) of the Electricity Act, 2003 read with the JERC CGRF & Ombudsman Regulations, 2024, ought not to enter into an adjudication which may overlap with or potentially affect issues presently seized of by the competent Courts.
17. The regulatory scheme under Regulation 36(1)(c) reinforces this principle by expressly restricting entertainment of a representation where the same grievance is pending before a Court, tribunal, arbitrator or other authority.
18. In view of the Appellant's own admission that the proceedings before the Hon'ble Civil Court and the Hon'ble High Court of Bombay are still pending, the condition prescribed under Regulation 36(1)(c) is not satisfied.
19. The use of the expression "**may be entertained ... only if all of the following conditions are satisfied**" makes it clear that the pre-conditions are mandatory in nature. Where a prescribed pre-condition is not satisfied, the Ombudsman cannot proceed to adjudicate the substantive grievance on merits.
20. It is, therefore, not necessary for this Authority, at this stage, to record findings on the competing contentions as to:
 - (a) whether the Respondent was legally justified in disconnecting the electricity supply on 12.12.2025;
 - (b) whether the communication issued by the Mamlatdar constituted sufficient authority for such disconnection;
 - (c) whether prior notice was legally required in the circumstances;
 - (d) whether Section 53 of the Electricity Act, 2003 and the applicable Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023, justified the action taken by the Respondent;
 - (e) whether the Appellant was entitled to immediate restoration of supply;
 - (f) whether the historical categorisation of the connection as agricultural/domestic was lawful; or



(g) whether the Appellant is entitled to compensation/damages of Rs.1,00,000/-.

21. Recording findings on the aforesaid issues at this stage, notwithstanding the admitted pendency of proceedings before competent Courts, may result in overlapping adjudication and may also have the potential of prejudicing or conflicting with the proceedings pending before those Courts.

22. It is accordingly considered appropriate, in conformity with Regulation 36(1)(c), to refrain from adjudicating the merits of the rival claims.

23. The present Representation is an appeal against the order dated 18.06.2026 passed by the Learned CGRF. However, the appellate jurisdiction under Section 42(6) of the Electricity Act, 2003 is required to be exercised within the framework of the JERC CGRF & Ombudsman Regulations, 2024. The existence of an appellate remedy against an order of the CGRF does not dispense with the specific pre-conditions prescribed under Regulation 36 for entertainment of a representation by the Ombudsman.

Consequently, notwithstanding the fact that the Appellant has challenged the order of the Learned CGRF within the prescribed appellate framework, the admitted pendency of proceedings concerning the same grievance before the competent Courts operates as a regulatory impediment to the present Representation being entertained at this stage.

24. It is clarified that the present determination is confined strictly to the question of **entertainability/maintainability of the Representation under Regulation 36(1)(c)**.

Nothing contained in this order shall be construed as an expression of opinion by this Authority on the merits of the Appellant's allegations or the Respondent's defence concerning the disconnection, safety considerations, acquisition proceedings, restoration of supply, historical billing/category of the connection or the claim for damages.

All such questions are left open to be considered by the competent forum, as and when they arise for consideration before it, in accordance with law.

25. The Appellant shall, therefore, be at liberty to pursue his remedies before the competent Court(s)/authority in accordance with law. Any future approach to the Electricity Ombudsman shall necessarily remain subject to the applicable statutory and regulatory provisions, including the conditions prescribed under Regulation 36 of the JERC CGRF & Ombudsman Regulations, 2024.

DECISION

26. In view of the foregoing discussion, this Authority holds that the present Representation cannot be entertained at this stage in view of the admitted pendency of proceedings concerning the subject matter before the Hon'ble Civil Court and the Hon'ble High Court of Bombay.



27. The mandatory pre-condition contained in Regulation 36(1)(c) of the JERC CGRF & Ombudsman Regulations, 2024 is therefore not satisfied.
28. Consequently, the present Representation is liable to be **disposed of as not entertainable at this stage**, without adjudication upon the merits of the rival claims.
29. Since the Representation is being disposed of on the threshold on account of the regulatory bar/limitation arising from the pendency of proceedings, no opinion is expressed on the correctness or otherwise of the order dated 18.06.2026 passed by the Learned CGRF on the substantive issues raised by the Appellant.

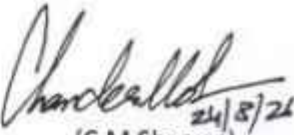
ORDER

In view of the findings recorded hereinabove, the following order is passed:

1. The present Representation filed under Section 42(6) of the Electricity Act, 2003 read with Regulations 35 and 36 of the JERC CGRF & Ombudsman Regulations, 2024 is **disposed of as not entertainable at this stage**, in view of the admitted pendency of proceedings concerning the subject matter before the competent Courts, attracting Regulation 36(1)(c) of the said Regulations.
2. No finding is recorded on the merits of the Appellant's allegations concerning the legality of disconnection of Electricity Connection No. 743109402, the Respondent's justification based upon safety considerations, the requirement of prior notice, the applicability of Section 53 of the Electricity Act, 2003, restoration/reconnection of supply, historical categorisation/billing of the connection or the Appellant's claim for damages/compensation.
3. The order dated 18.06.2026 passed by the Learned Consumer Grievance Redressal Forum, DNHDD in Case No. DNHDD/CGRF/2026-27/8 shall not be treated as having been affirmed on merits by this Authority. The present disposal is confined to the issue of entertainability of the Representation under Regulation 36(1)(c) of the JERC CGRF & Ombudsman Regulations, 2024.
4. The Appellant shall be at liberty to pursue the pending proceedings before the competent Court(s)/authority in accordance with law. Any remedy that may become available before the Electricity Ombudsman thereafter shall remain subject to the applicable provisions of the Electricity Act, 2003 and the JERC CGRF & Ombudsman Regulations, 2024, including the applicable limitation and pre-conditions for entertainment of a representation.
5. In the facts and circumstances of the case, there shall be **no order as to costs**.
6. The Representation stands **disposed of accordingly**.

Pronounced accordingly.

Dated: 24.08.2026


(C M Sharma)
24/8/24
Ombudsman (JERC)