

(1994) 06 NCDRC CK 0058

In the National Consumer Disputes Redressal Commission

SHANKAR SITARAM JADHAV

APPELLANT

Vs

Maharashtra State Electricity Board

RESPONDENT

Date of Decision : 24-06-1994

Acts Referred:

Citation : 1994 1 CLT 639 : 1994 3 CPJ 50 : 1995 1 CPC 666 : 1995 1 CPR 643

Hon'ble Judges : V.Balakrishna Eradi , Y.Krishan , B.S.Yadav J.

Final Decision : Petition dismissed

Judgement

1. -HEARD Counsel for the Shri Joshi and Mr. Dileep Pillai, learned Advocate for the . On going through the records of the case and considering the arguments advanced on both sides we are clearly of the opinion that the grievance put forward in this complaint petition does not constitute a consumer dispute as defined under the Act. The complaint of the petitioner arises out of the unfortunate death of the son of the complainant as a result of electrocution and drowning on a public road. On the night of 2nd and 3rd October there was heavy rain accompanied by strong winds as a result of which some branch of a tree on the roadside broke and fell on an overhead transmission wire which snapped and fell down on the road. The deceased while trying to help someone else who had touched the live electric line got electrocuted. His death was thus, due to accident on the public road, and it had no relation to any deficiency in the supply of electricity to the petitioner herein who is a consumer in relation to the supply of electricity to his residence. The line which got snapped was not the supply line to his residence but was the general transmission line. The accident in question was thus not the result of any deficiency in service in relation to the said supply of electricity to the residence of the petitioner. Therefore, the cannot seek redress before the Consumer Forum in respect of any matter arising out of such accident. The "s remedy lies only in approaching any other appropriate Forum like the Civil Court. Without prejudice to that being done this Original Petition is dismissed. No costs. Petition dismissed.