

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2019 of GERC (CGRF & Ombudsman)

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No. MG-III-16-2022-23
Complainant	Shri Chandrakantbhai R Shah, 35, Amrapali Society, Karelibaug, Vadodara
Respondent	Shri A.R.Singh, Dy.Engr. Karelibaug Sub division and Shri S.J.Rathwa, Dy.S.A. Karelibaug Sub division
Date of hearing	17.12.2022 at Corporate office, MGVCL Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Independent Member	Dr M B Kaka, Vadodara
Technical Member	Shri K B Dhebar, (RA&C) MGVCL Vadodara

The complaint dated 18.11.2022 (recd on 22.11.22) regarding appeal against Complaint Redressal Committee order for cheque return

1.0 On 17.12.2022, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein complainant Shri Chandrakantbhai R Shah, appeared whereas Shri A.R.Singh, Dy.Engr. and Shri S.J.Rathwa, Dy.S.A. Karelibaug Sub division appeared as a respondent on behalf of MGVCL before the Forum. Both the parties were heard

2.0 The brief history of the case is as under:

2.1 The consumer is having a single phase lighting connection under Karelibaug sub division MGVCL.

2.2 The consumer deposited cheque amounting to Rs. 7100/- on 10/06/2022 against electricity bill.

2.3 The cheque was returned on 14/06/2022 from Bank due to "without proper date" as such the consumer was informed on 16/06/2022 on his mobile.

2.4 As per consumer's advise the return cheque was again remitted on 17/06/2022. Simultaneously the consumer also paid Rs.7100/- by other cheque. Both the cheques were cleared by the Bank.

2.5 The consumer vide letter dtd.17/06/2022 submitted complaint against cheque returned by the Bank. In this regard the consumer was replied by Karelibaug sub division, MGVCL vide letter dtd.24/06/2022.

2.6 The complainant then requested to refund Rs.7100/- and asked sum other information vide letter dtd.28/06/2022.

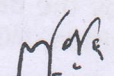


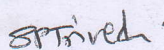
- 2.7 The MGVCL Karelibaug sub division vide letter dtd.08/07/2022 replied consumer regarding procedure to get refund of excess amount.
- 2.8 Not satisfied with the reply received from the sub division Karelibaug, the complainant has vide letter dtd.18/11/2022 appealed to CGRF MGVCL Corporate Office.
- 3.0 The representative of the complainant contended that -
- 3.1 Shri Chandrakant R Shah represented his case in detail. He submitted that he was not provided original memo received from the Bank while returning of the cheque. He did not received timely reply from the Karelibaug sub division. The required information was not provided inspite of CGRF order of 2013. He should be provided RBI circular regarding returning of the cheque.
- 4.0 The respondent contended that
- 4.1 The main dispute of the consumer is regarding cheque returned by the Kotak Bank on 14/06/2022 due to "without proper date". This was intimated to the complainant on 16/06/2022. On his request, the cheque was again represented to the Bank and cleared. The consumer has also submitted another cheque on cash counter which was also remitted to the Bank and cleared by the Bank.
- 4.2 The MGVCL has no role in returning of the cheque by the Bank as this under purview of Bank. However, they cooperated the consumer intimating by mobile and provided all available information to the consumer.
- 5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and considering them in detail, findings are as under:
- 5.1 The MGVCL has no role in returning of the cheque by the Bank as this under purview of the Bank.
- 5.2 The excess amount available in his account due to deposition of another cheque may be refunded on completion of necessary formalities by the complainant.

ORDER

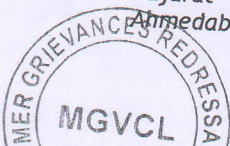
- 6.0 The Forum has come to the conclusion that the matter returning of cheque is under purview of the Bank. The complainant may approach the concern Bank to get further information regarding cheque return policy. The sub division may provide any other information available with them to complainant so to approach concern Bank.


(K B Dhebar)
Technical Member


(Dr M B Kaka)
Independent Member


(S P Trivedi)
Chairperson

PS : If the complainant is not satisfied with the order of this Forum, the complainant may approach Ombudsman only after payment of minimum 33% of the bill amount issued to the party in question. The Office address of the Ombudsman is : The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Clause No.3.19 (viii) of GERC Notification No.2 of 2019.



Procedure to make representations before Ombudsman***

1. Representation should be in writing duly signed by the complainant with his name and address.
2. Representation should be supported with affidavit.
3. True copy of order of Forum and original complaint made before Forum should be attached. Enclosed documents should be certified copies of the original documents.
4. The representation before Ombudsman should be submitted within 30 days from the date of order of Forum.
5. Copy of representation should be submitted at the office of Ombudsman. Copy of representation should be submitted to all respondents.
6. If the complainant is required to pay any amount according to the order of Forum, one-third of such amount should be deposited by complainant and proofs should be attached along with the representation.
7. The matter should not be pending before the competent Forum or any other court, tribunal, arbitrator or any other authority.
8. All representations should be with a sufficient cause, reasonable diligence causing the consumer prima facie loss and damages / inconvenience.
9. Representation may be submitted in English or Gujarati language

