

**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-II-57-2012.13
Complainant	Shri Anilkumar L. Patel of M/s. Shiv Krupa Infrastructure Pvt Ltd., INDEC. 1, Shriram Mansion, Santram Road, Nadiad
Respondent	Shri J P Chudasama, Executive Engineer and Shri A A Shaikh, Sr Asst of Godhra MGVCL.
Date of hearing	28.09.2012 Baroda City Circle Baroda

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated 21.09.2012 regarding refund against the deposit.

Today on 28.09.2012 the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Anilkumar L. Patel appeared on behalf of M/s. Shiv Krupa Infrastructure Pvt Ltd., INDEC whereas Shri J P Chudasama, Executive Engineer and Shri A A Shaikh, Sr Asst of Godhra MGVCL appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The complainant has HT consumer No. 41050.
2. Due to unavoidable circumstances, the supply was made PDC in the month of Oct 2001.
3. The complainant had applied for refund on 1.9.2012.
4. The meter was taken out from Oct 2002.

The representative of complainant contended that after his connection made PDC, neither the balance amount of final settlement of estimate was paid nor refunded his Security Deposit. Application was made on 8/10/2004 for refund of above amount. He has again given an application for refunds of balance amount on 23/08/23 & 01/09/2012 which was not responded by the MGVCL. The amount pending with the MGVCL is as under:-

- a. 3,21,613/- Security Deposit , MR no. 492457 dated 28/07/1999.
- b. 1,49,400/- Add SD, MR – as above –
- c. 1,35,000/- Development charges
- d. 15,827.35 Final Bill refund amount.

A cheque of amount Rs. 2,50,386/- was received on 22/09/2010.

The respondent contended that following were the arrears of the complainant:

Dues from Dec'2000 to July '2002	3,44,921/73
Delay payment charges	<u>59,032/66</u>
(1) Total	4,03,954/39

Deposited amount on 31/12/2001 & 24/01/2002	<u>1,00,000/00</u>
(2) Pending dues	3,03,954/39

Security Deposit	3,21,613/-
Additional deposit	<u>1,49,400/-</u>
Total	4,71,013/-
Pending dues	<u>3,03,954/39</u>
(3) Payable deposit Rs.	1,67,059/-

Development charges Rs.	1,35,000/-
50% withheld	<u>67,500/-</u>
(4) Payable development charges Rs.	67,500/-
(5) HT final bill refundable Rs.	15,827/35

(6) Total payable amount
 (3) + (4) + (5) = Rs. 2,50,386/35 which has been paid by cheque no. 112357 and 112358 on 18/09/2010 by MGVCL which is also confirmed by the complainant. Hence no dues are pending with MGVCL.

The Forum Members present at the hearing considered contention of both the parties and perused the records and found that final amount Rs.2,50,386.35 has been paid to the complainant as full and final payment.

ORDER

The Forum directs the complainant M/s. Shivkrupa Infrastructure P Ltd., Nadiad, that full and final payment of Rs.2,50,386.35 has been made by MGVL and no dues pending.

(Y B Sukhadia)
Technical Member

(M J Vaidya)
Independent Member

(P J Patel)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Chapter-5, Clause No.13 of GERC Notification No.4 of 2005.

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

*** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>