

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No.MG-III-49-2010.11
Complainant	Aziz A Bhatuk Advocate (Gujarat High Court) Mohammadi Mohalla, Volan Bazar, Godhra 389 001
Respondent	Shri S S Gandhi, DE Godhra (W) S/dn of MGVCL
Date of hearing	31.12.2010

QUORUM	NAME
Member	Shri K R Shah, MGVCL
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 30.11.2010 is against the pending dues in monthly energy bill.

Today on 31.12.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Aziz A Bhatuk appeared himself, whereas Shri S S Gandhi, DE Godhra (W) S/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

- 1.0 During “Samadhan Yojana” in the year 2005, Rs.11505/- was credited to the consumer No.01004/01722/7
- 2.0 The complainant had purchased the said premises with a sale deed on 24.03.2005.
- 3.0 Name transfer in MGVCL was done from 16.06.2006 and property card was obtained on 12.03.2007.
- 4.0 The complainant had purchased the property from Kathadi Ibrahim Ismail who had not done sale deed.
- 5.0 Original consumer was Fatimaben Abdulla Bhagu, followed by Umiani Ibrahim Ismail.
- 6.0 MGVCL has sent notice to the complainant being the owner of premises with con No.01004/01722/7.

The complainant Shri Aziz A Bhatuk contended that he shall not be able to pay the amount asked by MGVCL as he was neither owner of the said premises during the year 2005 nor the consumer number under reference was on his name so he was not credited the said amount any time during the year 2005.

The Respondent Shri S S Gandhi, DE of Godhra (W) s/dn of MGVCL contended that the pending amount of Rs.11505/ becomes payable by the

current owner / occupier of the premises / consumer number and recover from the original owner who had sold this property to the present owner.

The Forum Members present at the hearing considered contention of both the parties and perused the records. Shri S S Gandhi DE of MGVCL could not produce documents showing who participated in "Samadhan Yojana" as a consumer and received credit amount of Rs.11505/ during Aug Sept 2005.

In view of the above discussion, the Forum is of the opinion that the supplementary bill issued to the complainant Shri Aziz A Bhatuk who is the new consumer and has not received the credited amount of Rs.11505/ during Aug Sept 2005 should not be asked to refund the said amount. Had it been arrears of consumed electricity claimed within two years, he was liable to pay otherwise not,

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to recover the full amount of supplementary bill of Rs.11505/ from the owner of the said premises during Aug Sept 2005 and who had been credited the said amount.

(K R Shah)
Member

(M J Vaidya)
Independent Member

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach the Ombudsman, Gujarat Electricity Regulatory Commission, 1st floor, Neptune Tower, OPP: Nehru Bridge, Ashram Road, Ahmedabad 380 009 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/Consumer%20Grievances/Procedure/Procedure.pdf>