

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-IV-88-2010.11
Complainant	Shri Bipinchandra C Dandiwala, Advocate Shivanand, Manav Mandir Society OPP: Panigate Water Tank, Waghodia Road Vadodara 390 019
Respondent	Shri R S Bhabhor Panigate s/dn of MGVCL
Date of hearing	19.03.2011

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

The complaint dated 09.03.2011 is for disconnection of illegal vij connection.

Today on 19.03.2011, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Bipinchandra C Dandiwala, Advocate, appeared himself, whereas Shri R S Bhabhor Panigate 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 The complainant has vij connection No.16523/00395/7 meter No.15115 at ground floor of C 22 Manav Mandir Society OPP: Panigate Water Tank Vadodara 390 019.
- 2.0 Lateron, he constructed 1st floor and his brother Shri Mahesh C Dandiwala got vij connection for 1st floor with consumer No.16523/12021/0 having meter No.1510373 during 1988. The electricity bills were being paid regularly to the company since then.
- 3.0 All of a sudden, during March 2009 the complainant applied to MGVCL that the vij connection given to 1st floor is illegal in the name of Shri Mahesh Dandiwala and it should be in his name being the owner of 1st floor of same premises. So MGVCL issued order No.347 dated 4.5.009 to change name and bill of April 2009 was issued in the name of Shri Bipinchandra Dandiwala
- 4.0 Again, Shri Mahesh Dandiwala approached to MGVCL and upon his representation; again billing name was changed to Shri Mahesh Dandiwala, from May 2009.
- 5.0 For the property ownership of 1st floor, the documents submitted seems to be in favour of Shri Bipinchandra C Dandiwala.
- 6.0 Shri Mahesh Dandiwala could get vij connection in his name for the 1st floor of C 22 Manav Mandir society and it could continued till 2009 for the reasons known to Shri Bipinchandra only.

- 7.0 No original documents are available in MGVCL's local office and hence Forum is not able to establish the validity of the original documents for 1st floor vij connection.
- 8.0 Now, Shri Bipinchandra vide his application dated 6.12.2010 has requested MGVCL to disconnect the supply of 1st floor. This he has conveyed in the capacity of ownership of the 1st floor.
- 9.0 It is significant to note that at present Shri Bipinchandra do not have possession of 1st floor premises though he is the owner.

The complainant Shri Bipinchandra contended that he is owner of the 1st floor premise of C-22 of Manav Mandir Society and wants to remove the name of Shri Mahesh C Dandiwala as consumer for 1st floor vij connection. He applied for name transfer on standard application form of MGVCL but could not succeed. Hence, his revised request is to disconnect the supply of 1st floor in the capacity of ownership of 1st floor in the capacity of ownership of 1st floor premises. He produced the documents supporting his ownership of 1st floor premises.

The Respondent Shri R S Bhabhor DE Panigate of MGVCL contended that once Shri Bipinchandra Dandiwala applied for transfer of name, they had to change the billing name but as Shri Mahesh C Dandiwala approached MGVCL with statement that he had not signed in the application Form for name transfer, MGVCL had to continue his name as consumer. The bills are also paid regularly, hence, there is no complaint, however, they had asked Shri Mahesh C Dandiwala to produce ownership documents within 10 days on 17th Jan 2011 to which there is no reply till the date of hearing.

The Forum Members present at the hearing considered contention of both the parties and perused the records.

1. Though Shri Bipinchandra is owner of 1st floor of premises supported by the documents, he has no possession of the said premises.
2. At present, the consumer name is Shri Mahesh C Dandiwala and hence without his written consent, Shri Bipinchandra can not get consumer's name transferred on his name nor he can ask MGVCL to cut the power supply.

In view of the above discussion, the Forum is of the opinion that MGVCL local office should ask Shri Mahesh C Dandiwala, to produce the premises authentic ownership / occupancy documents to continue his name as a consumer in continuation with their earlier letter dated 17.01.2011 within 15 days. If Shri Mahesh C Dandiwala fails to produce the documents in stipulated period, electricity supply should be discontinued as per norms.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to ask Shri Mahesh C Dandiwala to produce the authentic ownership / occupancy documents of 1st floor of C-22 Manav Mandir Society within 15 days in continuation with their

earlier letter dated 17.01.2011. If he fails to submit the documents within stipulated period, MGVCL is directed to discontinue the electric supply of vij connection No.16523/12021/0 having meter No.1510373 at 1st floor of C-22 Manav Mandir Society, Panigate Vadodara with information to the Forum.

(K R Shah)
Member

(M J Vaidya)
Independent Member

(K M Dave)
Chairman

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/Cosumer%20Grievances/Procedure/Procedure.pdf>