

**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-73-2011.12
Complainant	Shri RS Jani of M/s. Shakti Plastic Industries at C-1, / 895 GIDC Makarpura, Vadodara (residing at Plot no.22, Block no.21, 3rd floor, Jawaharnagar, SV Road, Goregaon (W), Mumbai 400 062
Respondent	Shri M S Thakore & Shri J S Sura, both engineers of MGVCL
Date of hearing	18.11.2011, 12.01.2012 & 16.03.2012

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 08.11.2011 is for disconnection of 3 Phase & 1 Phase electric connection.

Today on 16.03.2012, the case of the complainant was heard before Consumer Grievance Redressal Forum wherein Shri R S Jani, appeared himself on behalf of M/s. Shakti Plastic Industries, whereas Shri M S Thakore & Shri J S Sura, both engineers of MGVCL appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. In Makarpura GIDC, Plot No.C/1/895 is in the name of M/s. Shakti Plastic Industries.
2. The industry has consumer No.14216/01078/4 and electric connection for 3 Phase and 1 phase was given by Vadodara Municipal Corporation, Vadodara and later on handed over the then Gujarat Electricity Board and presently with Madhya Gujarat Vij Company Limited.

The complainant Shri R S Jani contended that as per earlier hearings, he has submitted the relevant documents proving his ownership in the premises. However, for ownership issue, the matter is under judiciary and final court order is pending. He requested to consider this ownership based on the supporting documents submitted and disconnect the power.

The Respondent Shri M S Thakore & Shri J S Sura, both engineers of MGVCL contended that though the complainant tried to prove that M/s. Shakti Plastics Industries is owned by him and his request for disconnection of 3 phase and single phase connection can not be entertained as he has not produced sufficient

documents about his ownership and as the matter is sub-judiciary, he is waiting to get the relevant documents from the Court.

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

The Forum has also noted that while releasing the connection of the PDC case, the legal possession of disputed premises and authorization to sign A-1 Form as "Attorney" was not verified thoroughly. The respondent could not produce any documents in support of legal possession of present occupier, who had asked electric connection and released with original consumer number.

However, in view of the above discussion, the Forum is of the opinion that as the matter is sub-judiciary, the Forum can not take any decision.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to get final court order which will prove the ownership of M/s. Shakti Plastic Industries. On that basis, the complaint can be resolved. Till that time, the matter is kept aside.

(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>