

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

|                 |                                                                                                      |
|-----------------|------------------------------------------------------------------------------------------------------|
| Subject         | Consumer Grievances Complaint<br>No.MG-II-30-2012.13                                                 |
| Complainant     | Nirmalaben Jayendrakumar Desai, TF 3, Divyavilla<br>Flats, 3rd floor, Wadi Rangmahal, Wadi, Vadodara |
| Respondent      | Alpaben Sheth Deputy Engineer, Wadi s/dn of<br>MGVCL.                                                |
| Date of hearing | 03.08.2012                                                                                           |

| 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 10.7.2012 regarding transfer of name in regular energy bill.

Today on 03.08.2012, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein complainant Nirmalaben Jayendrakumar Desai was absent whereas Alpaben Sheth Deputy Engineer, Wadi S/dn appeared as respondent on behalf of MGVCL before the Forum.

The brief details of the case are :

1. The complainant has consumer No.14407 / 09909 / 7 in the name of Shri Jayendrabhai Desai who expired on 27.11.2008.
2. MGVCL had given vij supply on the basis of allotment letter given by the R K Developers to Shri Jayendrabhai Desai on 28.4.2007 for the possession of TF-3 flat.
3. Lateron, Shri Piyushbhai Rajnikant Gandhi of TF-4 flat had submitted application for name change for TF 3 flat along with sale deed dated 16.5.2011 of TF 3 flat in his name from the original owner Shri Mahendrabhai Ramanlal Gandhi. In the application for name change, he has submitted the death certificate of Shri Jayendrabhai Desai.
4. TF-3 flat is in the possession of Nirmalaben Jayendrabhai Desai. Up-till now, she was getting energy bills in the name of Shri Jayendrabhai Desai.
5. Though Shri Piyushbhai Rajnikant Gandhi of TF-4 flat has submitted death certificate of Shri Jayendrabhai Desai but without consent / NOC of legal heirs of Shri Jayendrabhai Desai.

The complainant remained absent.

The Respondent Alpaben Sheth Deputy Engineer, Wadi s/dn of MGVCL contended that they have changed the name of consumer from Shri Jayendrabhai Desai to Shri Piyushbhai Rajnikant Gandhi on the basis of Sale-deed documents and death certificate of Shri Jayendrabhai Desai.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that MGVCL did not take NOC of legal heirs of Shri Jayendrabhai Desai while processing the name change for TF-3 flat. The original vij connection was taken by Shri Jayendrabhai Desai on the basis of Banakhat for TF-3 flat.

In view of the above discussion, the Forum is of the opinion that the concerned s/dn should take NOC of Nirmalaben Jayendrabhai Desai or legal heirs of Shri Jayendrabhai Desai who are residing at TF-3 flat being the occupier of the same flat and reverse the consumer's name in the energy bill i.e. to continue the energy bill on the name of the occupant.

## **ORDER**

The Forum directs the Madhya Gujarat Vij Co Limited to get NOC for name change from Nirmalaben J Desai and / or legal heirs of Shri Jayendrabhai Desai for name transfer. Till that time, MGVCL should continue the name of occupant of TF-3 flat as a consumer.

**(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/Consumer%20Grievances/Procedure/Procedure.pdf>