

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-I-03-2011.12
Complainant	Shri Maheshbhai C Dandiwala, Manav Mandir Society, Waghodia Road, Vadodara.
Respondent	Shri Bhabhor DE of MGVCL
Date of hearing	20.05.2011

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

The complaint dated 30.03.2011 (received on 19.04.11) is for reconnection of power supply.

Today on 20.05.2011, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Maheshbhai C Dandiwala, appeared himself, whereas Shri Bhabhor DE appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as follows:

- 1.0 The complainant Shri Maheshbhai C Dandiwala staying at 1st floor, 22 C, Manav Mandir Society, Waghodia Road, Panigate, Vadodara vij connection No.16523/12021/0.
- 2.0 His brother Shri Bipinbhai C Dandiwala, stays at ground floor in the same premises
- 3.0 As per records, Shri Bipinbhai C Dandiwala owns the complete premises.
- 4.0 As a owner Shri Bipinbhai Dandiwala wanted to change of name of consumer for the 1st floor, though 1st floor is in possession of Shri Maheshbhai C Dandiwala since 1987-88
- 5.0 On his complaint to Consumer Grievances Redressal Forum, on last hearing on 19.03.2011 MGVCL was directed to ask Shri Maheshbhai C Dandiwala to produce the authentic ownership / occupancy of documents, 1st floor of C-22 Manav Mandir Society within 15 days. If he fails to submit the documents, within stipulated period, MGVCL is directed to discontinue the electric supply of No.16523/12021/0. He could not produce the documents and hence supply was disconnected. This was necessary to verify as local office of MGVCL could not produce the documents on which vij supply was given to Shri Maheshbhai C Dandiwala during the year 1987-88

6.0 As per police statement and statement of Shri Maheshbhai the said premises may be the joint property but as per all legal records, Shri Bipinbhai Dandiwala enjoys the ownership.

The complainant Shri Maheshbhai C Dandiwala contended that though he has no documents supporting his ownership / occupancy, Consumer Grievances Redressal Forum is requested to consider reconnection as widow mother of 86 years age is staying with him. He agrees to withdraw all complaints except for reconnection as both brothers are on the way to compromise.

The Respondent Shri Bhabhor DE of MGVCL contended that Forum's order was not known to Shri Maheshbhai C Dandiwala as it was not a party in the earlier case; however, the hearing was lastly made available to him. He had disconnected the supply as Shri Maheshbhai C Dandiwala failed to produce documents as per Forum's order.

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

- 1.0 Ownership / occupancy documents is the basic requirement of MGVCL to give vij connection.
- 2.0 This connection is given during the year 1987-88 but no papers are available with local office of MGVCL and hence the complainant was asked to produce.
- 3.0 As the complainant could not produce the supporting documents for verification, the supply was disconnected.

In view of the above discussion, the Forum is of the opinion that the complainant cannot produce ownership documents till the dispute of their joint property is resolved. In the meantime, if NOC of the owner who is Shri Bipinbhai C Dandiwala on legal papers as it seems, in lieu of occupancy is obtained vij connection can be restored.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to restore the vij connection No.16523/12021/0 if Shri Bipinbhai C Dandiwala given NOC to Shri Maheshbhai C Dandiwala to restore the supply.

(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>