

**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-I-23-2012.13
Complainant	Dahiben Revabhai Patel & others, at village Dantali, Tal: Kapadwanj, Dist : Anand.
Respondent	Shri M D Dalwadi, Deputy Engineer of Kapadwanj s/dn of MGVCL.
Date of hearing	06.07.2012

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 26.06.2012 regarding agricultural connection for survey No.1/2.

Today on 06.07.2012, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Dahiben Revabhai Patel & others appeared, whereas Shri M D Dalwadi, Deputy Engineer of Kapadwanj 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. Shri Revabhai Chaturbhai Patel in his survey No.1/2 had applied for agricultural connection on 23.01.1998.
2. Shri Revabhai Chaturbhai Patel expired on 24.2.2011.
3. In the land Survey No. 1 / 2, the legal heirs are mentioned as four brothers and two sisters.
4. For the said agricultural connection, NOC of all legal heirs asked by MGVCL on a notarized stamp paper. In this case, the elder brother Shri Dharmesh Revabhai Patel has not given legal consent.

The complainant Dahiben Revabhai Patel contended that legal heirs have given legal consent for getting agricultural connection except Shri Dharmesh Revabhai Patel. The sub-division is not processing their application without consent of Shri Dharmeshbhai.

The respondent Shri M D Dalwadi, Deputy Engineer of Kapadwanj s/dn contended that the legal consent of all legal heirs on a notarized stamp paper is required to give agricultural connection. But as one legal heir has not given legal consent, MGVCL is not in a position to do further formality for the said agricultural connection.

The Forum Members present at the hearing considered contention of both the parties and perused the records and found that this agricultural land which is on the name of their late father is not divided among the legal heirs and hence the legal consent of all legal heirs on notarized stamp paper is a must. The legal heir Shri Dharmesh Revabhai Patel is not willing to sign for agricultural connection in the said land hence the connection cannot be released.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to release the connection after receipt of legal consent from all legal heirs on notarized stamp paper.

(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>