

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-III-66-2011.12
Complainant	Shri Kiran V Jadav of Jay Shree Ambe Eng Works, C 11, Sardar Indl Estate Road No.1, Ajwa Road, Vadodara 390 019
Respondent	Shri H P Sheth DE of MGVCL.
Date of hearing	4.11.2011

QUORUM	NAME
Chairman	Shri Y B Sukhadia, MGVCL
Member	Shri K R Shah, MGVCL
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 4.11.11 is for outstanding dues of energy bills of Pranav Handicrafts.

Today on 4.11.2011, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Kiran V Jadav, appeared himself on behalf of M/s. Jay Shree Ambe Eng Works whereas Shri H P Sheth, D E appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

- (1) The complainant has Jay Shree Ambe Eng Works at C 11, Sardar Indl Estate Road No.1, Ajwa Road, Vadodara 390 019
- (2) 15 to 18 years back rented some space from their premises to M/s. Pranav Handicrafts
- (3) MGVCL had given electric supply to M/s. Pranav Handicrafts with their separate meter.
- (4) Pranav Handicrafts had closed down long back with PDC during March 1999 with outstanding dues of Rs.10,486/ Plus interest.

The complainant contended that they had given some space in their premises on rent to M/s. Pranav Handicrafts. M/s. Pranav Handicrafts had taken connection on their own name. Pranav Handicrafts was a consumer and they were paying energy bills on the basis of meter readings for energy consumed by them. Mr Chetan Pathak was a partner in the said firm whose address is given to MGVCL. If he is not paying the dues, MGVCL cannot force us to pay the same. MGVCL should not ask us for payment of their dues.

The Respondent Shri H P Sheth, DE of MGVCL contended that Pranav Handicrafts was rented in the premises owned by Kiran V Jadav and his father so any dues belonging to the consumers who are on rent in the part of premises become payable by the owner if tenant fails to pay.

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

- As this is matter of about 15 years back and there was transfer of the said area from the one division to the other division, the respondent reported that no data of electricity supply allocation is available only data about the arrears of some consumers are available and on that basis the MGVCL staff is trying for recovery. In this case, the respondent has also reported that Mr Chetan Pathak has informed that he was serving in that partnership firm and hence not responsible to pay the dues.

In view of the above discussion, the Forum is of the opinion that the owner of the premises should be asked to give affidavit statement mentioning therein who was / were the owners of M/s. Pranav Handicrafts and who were paying MGVCL bills.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to ask the owner of the premises to give affidavit statement mentioning therein the name (s) of owner of Pranav Handicrafts with whom the rent / lease contract was done and what were the conditions laid down for electricity supply. On this basis, MGVCL can initiate actions for recovery from the owner(s) of Pranav Handicrafts

(K R Shah)
Member

(M J Vaidya)
Independent Member

(Y B Sukhadia)
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>