

**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-II-77-2013.14
Complainant	Shri Kanabhai Dhulabhai Chauhan, At : Virania, Tadav Faliya, Lunawada, Dist : PMS
Respondent	Shri G J Bamania, Deputy Engineer, Lunawada s/dn of MGVCL.
Date of hearing	20.09.2013, 18.10.2013 both at Godhra Circle & 15.11.2013 at Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Medha M Marathe, MGVCL

The complaint dated 02.09.2013 regarding new agricultural line pole.

On 20.09.2013, 18.10.2013 & 15.11.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein all times complainant Shri Kanabhai Dhulabhai Chauhan were absent whereas Shri G J Bamania, Deputy Engineer, Lunawada s/dn appeared as respondent on behalf of MGVCL before the Forum.

The brief details of the case are :

1. The agricultural line poles were erected in survey No.15 / 1 of complainant Shri Kanabhai Dhulabhai Chauhan, At : Virania, Tadav Faliya, Lunawada, Dist : PMS. He has objected for laying poles through his farm.
2. Subsequently, as per mutual understanding, poles were to shift at the end of the farm but MGVCL has shifted the pole at the nearby walking way in Survey No.1/1 which leads to non-use of walking way.
3. The complainant has informed that any consequences for the public way will be of MGVCL.

The complainant were absent during all hearings.

The respondent contended that the adjacent Survey No.1/1 to Survey No.15 / 1 whose owner is Shri Swaroopbhai Jethabhai Pagi has given the consent vide punch case letter dated 17.09.2013 along with letter of Sarpanch Shree Navi Signali Group Gram Panchayat stating that there is no objection to lay the pole in his premises at the farm of walking way. The walking way is in survey No.1/1. Accordingly, the poles are shifted and agricultural line put into service. Therefore,

as there are no poles in Survey No.15/1, the complainant's complaint doesn't have any stand. Sarpanch Shree Navi Signali Group Gram Panchayat has taken responsibility for any consequences for the walking way if poles are laid near to it.

In view of the above discussion, the Forum is of the opinion that the poles are shifted in the premises of Survey No.1/1. For that, owner has given his consent and responsibility for the walking way is taken by the Gram Panchayat so the problem is resolved.

ORDER

The Forum directs the Shri Kanabhai Dhulabhai Chauhan, At : Virania, Tadav Faliya, Lunawada, Dist : PMS that poles are shifted from his survey No.15/1 to adjacent Survey No.1/1. The walking way is in the adjacent No.1/1 whose owner has given consent to erect poles, shifting of poles in Survey No.1/1 is in order.

(Medha M Marathe)
Technical Member

(Harsha S Chauhan)
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>