

**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-3-2013.14
Complainant	Laxmiben B Patel, Palaj, Purnanand Society, Bawari Jakat Naka, Petlad, Dist : Anand
Respondent	Shri P C Parmar, Deputy Engineer, Petlad (Rural) s/dn of MGVCL.
Date of hearing	30.04.2013 at Anand Circle Office

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated 21.03.2013 (received on 04.04.2013) for new vij connection.

On 30.04.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Dharmesh B Patel, son of complainant Laxmiben B Patel, appeared whereas Shri P C Parmar, Deputy Engineer, Petlad (Rural) 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. The complainant has consumer No.T:094824521
2. The complainant had applied for new vij connection for his property at Palaj, Purnanand Society, Bawari Jakat Naka, Petlad, Dist : Anand.
3. The complainant has paid estimated amount of Rs.6624/- on 23.08.2012 and test report was given on 24.08.2012. But during this period, third party Shri Bhikhabhai Talashibhai Patel & legal heir of Shri Dahyabhai Bhikhabhai Patel has taken objection.

The complainant contended that on dtd.30.8.2012 objection was raised in writing by Shri Bhikhabhai Talshibhai and Dahyabhai Bhailalbai for not releasing connection. The legal opinion sought by Dy. Engineer from Advocate K R Patel is

wrong. The Advocate of MGVCL is relative of Dahyabhai Bhailalbai Patel who had raised the objection and hence legal opinion given by Advocate is bias and wrong. The complainant has given all the required documents, whereas Dahyabhai Bhailalbai Patel has failed to comply the proof for legal heir of property under question.

The respondent contended that in 7/12 Utara, there are other four partners with complainant. On the said property, there is no other electric connection. Estimate was given based on the document submitted by applicant and was paid on 24.8.12. But thereafter, objection was raised by Shri Bhikhabhai Talashibhai Patel & legal heir of Shri Dahyabhai Bhailal Patel. The legal opinion was also taken from panel Advocate Shri K R Patel. As per his opinion, connection was not given. The complainant was also informed on 6.10.2012, being a common property under dispute, the new connection cannot be given.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that in 7/12 Utara, there are four partners with complainant. The complainant has produced PEDHINAMA & show that Shri Shanabhai Nagarbai, Ganga Chhotalal were “nirvansh unmarried”. Till today name of Shri Bhikhabhai Talashibhai Patel & legal heir of Shri Dahyabhai Bhailal Patel has not been entered into 7/12 Utara. Hence the objection raised by Shri Bhikhabhai Talashibhai Patel & legal heir of Shri Dahyabhai Bhailal Patel is not to be entertained for release of connection.

In view of the above discussion, the Forum is of the opinion that the new vij connection should be given to the complainant Laxmiben B Patel, Palaj, Purnanand Society, Bawari Jakat Naka, Petlad, Dist : Anand

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to immediately release new connection to the complainant Laxmiben B Patel, Palaj, Purnanand Society, Bawari Jakat Naka, Petlad, Dist : Anand.

(Y B Sukhadia)
Technical Member

(Harsha S Chauhan)
Independent Member

(P J Patel)
Chairperson

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>