

**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-IV-121-2012.13
Complainant	Shri Nareshprasad Thakordas Kanpurwala of Baharpura, Padav, Dahod
Respondent	Shri S L Varma Dy. Engineer Dahod Town ,MGVCL
Date of hearing	12.04.2013 at Circle Office, Godhra.

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated 12.02.2013 regarding lighting connection and to install meter.

On 12.04.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum at Circle Office, Godhra. wherein applicant was present, whereas Shri S L Varma, Dy. Engineer of Dahod Town S/dn of MGVCL appeared as respondent on behalf of MGVCL before the Forum. .

The brief details of the case are:

1. The complainant has applied for new lighting connection in 6 Nos. of small rooms used as residential purpose in Baharpura area of Dahod Town but MGVCL is not giving connection due to objections raised by third party;
2. The objection raised by Mahendra Nanalal Kiklawala and Navinchandra Nanalal Kiklawala and requested not to give connection in above premises quoting reference to the order of Civil Suit No.40/75 dated 09.09.1987.
3. The complainant being single owner and occupant had sold one portion of this property to Navjivan Roller Flour and Pulse Mills by executing sale deed and handed over to purchaser.
4. The complainant has asked new connection in premises which in his possession and ownership.

5. The MGVCL had sought legal opinion also and based on that estimate was issued and was paid by complainant Shri N T Kanpurwala on 17.9.2012
6. The meter was issued by Sub D/n and MGVCL staff came to join the connection. While physically releasing the connection the opponent objected to give connection and closed main gate of premises and not allot MGVCL staff to work...
7. Requested to release connection immediately even with police protection, if required.

The Respondent informed that complainant had applied for new residential connection on 13.7.2012. During survey it was noticed that there seems godawn where residential connection is applied. MGVCL received objection on 25.7.2012 from their cousin family members Mahendra Nanalal Kiklawala and Navinchandra Nanalal Kiklawala that applicant is owner of the premises and as per judgement passed by Hon'ble Court in special Civil Suit No.40/75, they have not taken over the possession of the property from them.

Looking to this, before giving estimate to the applicant, legal opinion was sought from MGVCL Panel Advocate Shri Arvind M Parikh, Dahod. The Advocate opined that the applicant is legal owner and occupant of the said property where connection is demanded electrical connection can be released. Estimate was issued on 14.9.2012 and paid by complainant on 17.9.12.

The staff of sub d/n was deputed to release conn. on 3.10.2012, but the main gate was closed by opposite group and not allowed to install meter. A letter was written to the complainant to resolve the issue. The complainant approached the local police for protection but protection was not provided by local office. As per Section 4.1.4 of GERC regulation, necessary way leave has to be provided by the applicant so new connection not released.

The Sub Divisional Megistrate Dahod, vide Letter No.{LS/MJS/vashi/ 709tp710 dtd.18.4.13 has written to Sub division to release connection as the applicant has paid necessary amount as asked by MGVCL.

The Forum Members present at the hearing considered contention of both the parties and perused the records and opined that the complainant being owner and occupant of the said property and having possession, new connection to be released to the complainant.

ORDER

The Forum directs the MGVCL to release the new electric connection to Shri Nareshprasad Thakordas Kanpurwala of Baharpura, Padav, Dahod, at their residence place in Baharpura area of Dahod Town.

(Y B Sukhadia)
Technical 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>