

**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-III-87-2012.13
Complainant	Shree Laxminarayan Saw Mills, Station Road, Village Tal: Mehmabad, Dist : Kheda.
Respondent	Shri M M Padhiyar, Deputy Engineer, Mehmabad of MGVCL.
Date of hearing	18.01.2013 at Corporate Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated 12.12.12 regarding load reduction from 13.5 HP to 5 HP.

On 18.01.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Kantibhai Veljibhai Patel, appeared himself on behalf of Shree Laxminarayan Saw Mills, whereas Shri M M Padhiyar, Deputy Engineer, Mehmabad appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. Shree Laxminarayan Saw Mills, situated at Station Road, Village Tal: Mehmabad, Dist : Kheda, having consumer No.01301 / 0289 / 5 is in the name of Shri Ambalal K Parikh who expired during the year 1999.
2. Originally, the contracted demand was 23.5 HP which was reduced to 13.5 HP during the year 2005 on the application made by the partner Shri Kantibhai V Patel.
3. Again this time, they wanted to reduce load from 13.5 HP to 5 HP but their application was rejected by MGVCL stating that Shri Kantibhai V Patel is not a

legal consumer and Shri Ambalal Parikh was the legal consumer who expired during 1999 and name transfer is not done so no action could be taken for load reduction.

The complainant contended that they had personally visited MGVCL office but MGVCL official instructed to them to bring NOC of legal heir of late Shri Ambalal Parikh and also NOC from land owners. As MGVCL did not take any action against load reduction after application they were forced to come to Forum to get solution in the matter.

The respondent contended that they could not do any formality for load reduction as Shri Kantibhai Patel is not a legal consumer and complainant did not submit the documents insisted by them and hence problem could not be resolved.

The Forum Members present at the hearing considered contention of both the parties and perused the records. From which, it is found that originally Shree Laxminarayan Saw Mill had two partner namely Shri Ambalal Parikh and Shri Kantilal Patel. Out of these two partners, Shri Ambalal Parikh expired in the year 1999 but his name as a consumer in the MGVCL's records continues. There was no action taken to change the name of the deceased person.

After the death of Shri Ambalal Parikh, Shri Priyavadan Ambalal Parikh (son of Ambalal Parikh) was introduced as a partner in Saw Mill and Shri Priyavadan Ambalal Parikh was relieved from 01.04.2012 from the Mill and presently Shri Kantibhai Patel seems to be the only partner in the said firm.

In view of the above discussion, the Forum is of the opinion that Shri Kantibhai Patel has to first do formality of name transfer as a consumer in MGVCL's records on the basis of partnership documents duly notarized. Deputy Engineer of Mehmadaabad division has agreed in the hearing that following documents will be required from the complainant for name transfer and load reduction.

1. Application on plain paper for name transfer.

2. Application for name transfer in standard format of MGVL.
3. Copy of separation of Shri Priyavadan Ambalal Parikh from partnership-deed duly notarized
4. Death certificate of Shri Ambalal Parikh
5. Original notarized partnership deed
6. Copy of MGVL energy bill

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to complete the formality of name transfer and load reduction at the earliest on the basis of documents to be submitted by the complainant as discussed above. Accomplishment report shall be submitted by MGVL to Consumer Grievances Redressal Forum.

(Y B Sukhadia)
Technical Member

(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/Cosumer%20Grievances/Procedure/Procedure.pdf>