



## CONSUMER GRIEVANCES REDRESSAL FORUM

Uttar Haryana Bijli Vitran Nigam

Shakti Bhawan, IInd Floor, Room No.317, Sector-6, Panchkula

E-mail: uhbvn\_forum2006@yahoo.com

Fax & Phone No. 0172-2583896

Complaint No. CGRF-672/13

To

The Managing Director,  
UHBVN. Panchkula.


Memo No. Ch- 15 /UH/CGRF-672

Dated: 19.3.13

Subject: - Order in respect of complaint of Smt. Asha Rani regarding restoration of electricity connection.

Enclosed please find herewith the order issued by Consumer Grievances Redressal Forum in respect of above complaint for its compliance.

DA/As above

  
Secretary,  
CGRF, UHBVN,  
Panchkula

CC.

1. Secretary/HERC, Sec-4, Panchkula.
2. CE/OP, UHBVN, Rohtak.
3. CGM/Commercial, UHBVN, Panchkula
4. SE/ 'OP' Circle UHBVN, Sonipat.
5. XEN/IT, UHBVN, Panchkula. (for posting on UHBVN site)
6. XEN/OP Division, UHBVN, Sonipat with a copy of order.
7. SDO/OP, S/Division, Model Town, UHBVN, Sonipat.
8. Smt. Asha Rani w/o Sh. Vishbhushan, C/o Sh. Rajbir Singh, Advocate, R/o H. No. 1282, Sector-44-B, Chandigarh.

For information & further necessary action with respect to order of Forum (copy enclosed).



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Complaint No.	UH/CGRF – 672 of 2012
Date of Institution	31.12.2012
Date of Hearing	01.03.2013
Date of Order	14.03.2013

Before the Consumer Grievances Redressal Forum, UHBVNL.

Present:-

1. Sh. Rajbir Singh, Member-I.
2. Sh. D.C.Aggarwal, Member-II.

In the matter of complaint of Smt. Asha Rani w/o Sh. Vishbhushan r/o HNo-1079, sector-14, Sonapat regarding restoration of electricity connection.

.....Complainant/Petitioner

Vs

- (1) XEN, Op Division, UHBVN, Sonapat.
- (2) SDO, Op Sub-Division, Model Town, UHBVN, Sonapat.

.....Respondents

Appearance:-

For Complainant:

None

For the Respondent:

Sh. Sanjeev Kumar AEE, Op Sub-Division, Model Town, UHBVN, Sonapat.



**ORDER**

The complainant Smt. Asha Rani w/o Sh. Vishbhusan is r/o HNo- 1079, sector-14, Sonapat. Her area falls under the jurisdiction of Op Sub-Division, Model Town, UHBVN, Sonapat and the Forum has the jurisdiction to hear this complaint.

It has been pleaded by the complainant that she is permanent resident of HNo- 1079, sector-14, Sonapat for last 20 years and her husband has been paying the electricity bill. The house is in the name of Sh. Jawaharlal. The ration card, voter ID card, Income Tax return, driving license bear the address of this house. But due to some family dispute the electricity connection has been disconnected. The property dispute arose between her husband, his father, brothers and sister-in-laws. The house is in the name of Sh. Jawaharlal Wadhwa and Narender Wadhwa. Though her husband also has share in the house as they are residing in it, her husband filed a suit in the Civil Court Sonapat for partition of the house. During pendency of the Suit the said house has been sold to Smt Krishna Kumari w/o Late Sh. Moti Lal. They her husband has challenged the sale deed also but the matter is still pending in the Court and no Ejectment order have been passed against them. Now the electric connection has been disconnected. They filed an application under the Consumers Protection Act but the same was dismissed on the grounds that she is not Consumers so the complaint is not maintainable. She has requested that since they are the occupant of the house, either the electricity connection may be restored or a new connection may be provided. They are in possession of the house for last over 20 years and their possession cannot be interfered in illegal manner and as there is no Ejectment order, she is entitled for basic amenities like electricity.

The application of the petitioner was received in this office of the Forum on 28.12.12. The Forum considered the facts and found the petition feasible of acceptance and the same was admitted. Accordingly, notice of motion dated 1.1.13 was issued to both the parties asking complainant to submit affidavit and asking respondent to submit version..

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The respondent submitted the version on 25.1.13 stating that the present matter is not maintainable as the Suit is already pending before the Civil Court of ms. Varsah Jain, Civil Judge, Sonapat who has passed an order dt 24.9.12 directing not to re-install the electricity connection on the disputed property. The electricity connection cannot be supplied without proper title of land/plot. The plea of the complainant stands already dismissed by the DCDRF, Sonapat and Civil Court Sonapat.

Summons were issued to all the parties for hearing on 13.2.13 and 1.3.13. The complainant absented on both the dates. The respondent presented their position.

The Forum considered the facts and observed that the complainant has not come before the Forum with a clean hand. Her similar request stand rejected by various other Courts/Forum and now the Civil Court Sonapat has ordered for not providing any electricity connection at the disputed property. Also, the complainant is also not consumer of the Nigam as no connection stands installed in the disputed property in her or in the name of her husband. So this Forum also dismisses the complaint and the complainant has no right for any electricity connection till the matter of ownership is settled and decided by the Civil Court.

The petition is hereby disposed of without any cost on either side. File be consigned to the office record.

The order is signed by the Consumer Grievances Redressal Forum on 14.03.2013.

Compliance of Order may be reported within fifteen days from the date of receipt of this Order.

  
(D.C. Aggarwal)  
Member-II

  
(Rajbir Singh)  
Member-I

