



CONSUMER GRIEVANCES REDRESSAL FORUM

Uttar Haryana Bijli Vitran Nigam

Shakti Bhawan, 2nd Floor, Room No. 317, Sector-6, Panchkula

E-mail: uhbvn_forum2006@yahoo.com

Fax & Phone No. 0172-2583896

Complaint No. CGRF-817/13

To

The Chairman Cum Managing Director,
UHBVN. Panchkula.

Memo No. Ch- 17 /UH/CGRF-817

Dated: 22.10.13

Subject: - Order in respect of complaint of Sh. Narender Kumar regarding unjustified charging of amount of Rs. 60,000/- after settlement of the case in the Lok Adalat.

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

DA/As above


Member-II
CGRF, UHBVN,
Panchkula

CC.

1. Secretary/HERC, Sec-4, Panchkula.
2. CE/OP, UHBVN, Panchkula.
3. CGM/Commercial UHBVN, Panchkula.
4. SE/OP, Circle, UHBVN, Karnal.
5. XEN/IT, UHBVN, Panchkula. (for posting on UHBVN site)
6. XEN/OP Sub-Urban Division No. 1, UHBVN, Karnal with a copy of order.
7. SDO, Op Sub-Division, UHBVN, Indri.
8. Sh. Narender Kumar S/o Sh. Nar Singh, R/o Village Kachhwa, Tehsil & Distt. Karnal.

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



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Complaint No. UH/CGRF – 817 of 2013
Date of Institution 07.08.13
Date of Hearing 07.10.13
Date of Order 08.10.13

Before the Consumer Grievances Redressal Forum, UHBVNL.

Present:-

1. Sh. Rajbir Singh, Member-I.
2. Sh. Anurag Nanchahal, Member-II.

In the matter of complaint of Sh. Narender Kumar, S/o Sh. Nar Singh, R/o Village Kachhwa, Tehsil & Distt. Karnal regarding unjustified charging of amount of Rs. 60,000/- after settlement of the case in the Lok Adalat.

.....Complainant/Petitioner

Vs

- (1) XEN, Op Sub-Urban Division No. 1, UHBVN, Karnal.
- (2) SDO, Op Sub-Division, UHBVN, Indri.

.....Respondents

Appearance:-

For Complainant:

Sh. Narender Kumar.

For the Respondent:

Sh. Deepak Kaushik, SDO/OP, Sub-Division, UHBVN, Indri.



ORDER

The complainant Sh. Narender Kumar, S/o Sh. Nar Singh, R/o Village Kachhwa, Tehsil & Distt. Karnal has pleaded regarding unjustified charging of amount of Rs. 60,000/- after settlement of the case in the Lok Adalat. The area falls under the jurisdiction of Op. Sub-Division, UHBVN, Indri and the Forum has the jurisdiction to try this suit.

It has been pleaded by the complainant that the respondent had levy penalty for Rs. 435664/- which was settled in the out of court settlement scheme of the respondent by making the payment of Rs. 3,18, 000/- in aggregate. A bill for Rs. 60,000/- was again raised by the respondent and when inquired by the petitioner from the respondent, it was told that this amount was inadvertently omitted to be charged by the respondent. It has further been pleaded that he may be exempted from making this payment since the case already stands settled in the Lok Adalat.

The application of the petitioner was received in this office of the Forum on 07.08.13. The Forum considered the facts and found the petition feasible for acceptance. Accordingly notice of motion dated 19.08.13 was issued to both the parties and respondent to submit their version duly supported with affidavit for further proceedings. The hearings were conducted on 17.09.13 and 07.10.2013 at Guest House, Panchkula & Karnal respectively.

The respondents in its reply has submitted that notices under section 135 were served to the complainant for depositing Rs. 435664/- including Rs.200000/- as the compounding amount on 18.05.13. The complainant challenged the notices and deposited Rs.1,75000/- as per the Court orders. After consent of the complainant ,the case was settled before the Lok Adalat on 22.12.12. After settlement of the case, it was audited by the audit party which pointed out that the assessment was made less due to clerical mistake and an

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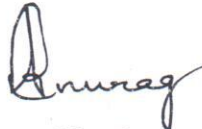
Complaint No. 817 of 2013

amount of Rs.64729/-is recoverable from the complainant. The advice from L.R. was sought who has opined that the amount is recoverable from the consumer. The respondent has further been advised to fix responsibility on the part of erring officials for not raising the correct amount at the time of settlement of Lok Adalat.

The Forum, after considering the facts and reply in detail decides that had this amount been raised before settlement, the petitioner would have been liable for making payment of only 50% of the total amount. As such not more than 50% of the total amount recoverable from the petitioner can be recovered in any case. The balance amount that could not be recovered from the petitioner due to default of the respondent be made good from the officials at fault.

The complaint is disposed off without any cost on either side. The file be consigned to the office record.

The order is signed and issued by the Consumer Grievances Redressal Forum on 08.10.2013.



(Anurag Nanchahal)
Member-II



(Rajbir Singh)
Member-I

