

OFFICE OF THE ELECTRICITY OMBUDSMAN

B-53, Paschimi Marg, Vasant Vihar, New Delhi – 110 057

Appeal No. F.ELECT/Ombudsman/2004-05/16

In the matter of: Appeal against Order No.: 0114 / 11 / 04 / RHN dated
18.2.2005 passed by Consumer Grievance Redressal
Forum (NDPL)

And

In the matter of: Shri V.K.Kapoor ----- Appellant

Versus

M/s NDPL, Model Town, Delhi ----- Respondent

Present:-

Shri Banga and Shri Ravinder Sethi, Appellant

Shri Suraj Das Guru for the Respondent

Date of Hearing : 28th April, 2005

ORDER No.: OMBUDSMAN/2005/16

Shri V.K.Kapoor, Appellant has filed the present appeal dated 3.3.2005 against CGRF order dated 18.2.2005.

The appeal was heard on 28.04.2005. The person appearing as Appellant has stated from the very beginning that he is V.K.Kapoor, who has filed the present application. On conclusion of the hearing on 28.4.2005, when he was asked to sign the proceedings, he pointed out that he is Mr. Banga, occupant of the premises in which electric meter K. No. 44400126439 T is installed. In reply to a query about his locus standi, he

stated that the electric meter continues in the name of Shri V.K.Kapoor, from whom he has purchased the premises on power of attorney. Mr. Banga has no where stated that he is only representing Shri V.K.Kapoor and thereby misled the Adjudicating Authority.

In law, only affected parties, having locus-standi can apply to the Adjudicating Authority for Redressal of their grievances. Moreover, the parties are duty bound to truthfully state facts and answer queries correctly before the Adjudicating Authority.

In the present case Shri Banga, for reasons best known to him, has no where disclosed in his application that he is only occupying the premises purchased from Shri V.K.Kapoor and that the electric meter still stands in the name of Shri V.K.Kapoor. He has also not submitted any authority letter / power of attorney from Shri V.K.Kapoor to represent on his behalf. He has, therefore, no locus standi to file or pursue this application / appeal. Shri Banga has knowingly and willfully submitted the appeal to the Ombudsman without disclosing true facts. Moreover, he has misled the Authority during the hearing that he is Shri V.K.Kapoor.

In view of the above, the case is disposed off as dismissed on grounds of lack of locus standi and concealment of material facts.

AL 28/04/03
(Asha Mehra)
Ombudsman
AL