

Office of the Electricity Ombudsman

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)

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

(Phone No.: 32506011, Fax No.26141205)

Appeal No. F. ELECT/Ombudsman/2014/632

**Appeal against the Order dated 23.06.2014 passed by the
CGRF-TPDDL in CG.No.5839/04/14/BDL.**

In the matter of:

Smt. Megha Goyal

- Appellant

Versus

M/s Tata Power Delhi Distribution Ltd.

- Respondent No.1

Shri Sunil Bansal

- Respondent No.2

Present:-

**Appellant: Shri Munna Lal Aggarwal attended on behalf of
the appellant.**

**Respondent: Shri Vivek, Sr. Manager (Legal), attended on
behalf of the TPDDL.**

Shri Sunil Bansal was present in person.

Date of Hearing : 09.09.2014, 21.10.2014, 25.11.2014

Date of Order : 02.12.2014

ORDER NO. OMBUDSMAN/2014/632

This is an appeal filed by Smt. Megha Goyal, W/o Shri Sanjay Goyal, R/o B-2/7, Sector – 17, Rohini, Delhi – 110089 against the order of the Consumer Grievance Redressal Forum (CGRF) dated 23.06.2014 allowing a new permanent connection at Shop No.1, Opposite White House D.T.U., Rohini Extension, Sector – 17, Rohini, Delhi. The payment for the connection was made but the connection could not be installed and

the request in the appeal is for enforcement of the CGRF order. Earlier the CGRF had passed an order on 11.11.2013 releasing a temporary connection but had indicated that this temporary connection should not be used as proof of ownership or as a basis for releasing permanent connection. However, within a few months the CGRF did entertain the application for a permanent connection arising out of an order of Civil Judge of the Rohini Court stating that there had been an agreement between all parties concerned and that the complainant, Smt. Megha Goyal, will get the connection and the opposing parties, Shri Sunil Bansal, the alleged owner of the property, will not obstruct the installation as he had no objection. His no objection was recorded in the above Civil Court order.

Since the connection did not actually get installed Smt. Megha Goyal has filed an appeal. In the reply of the DISCOM dated 11.08.2014, a view had been initially taken that the complainant has not submitted all the documents and not completed all the formalities and there is no NOC from the landlord. However, later the DISCOM is reported to have agreed to install the connection.

During the hearing held on 09.09.2014, the complainant wanted 15 days to settle this issue which was allowed. Subsequently, the other party Shri Sunil Bansal sent a letter to this office that an earlier connection no.60009242417 existing in his name in the disputed shop (and which had been disconnected due to non-payment) should be revived and the installation of the new permanent connection in the name of Smt. Megha Goyal be cancelled. The TPDDL (DISCOM) had also informed that the landlord Shri Sunil Bansal was objecting to the installation of the meter. As the matter could not be resolved between the parties, another hearing

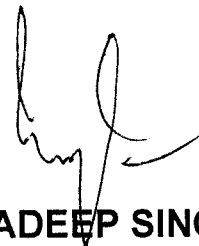
was fixed on 21.10.2014. Since it was found that Shri Sunil Bansal, reportedly the landlord, did not want a new connection to be installed but wanted his earlier connection be revived, the DISCOM was asked to inquire into this and report on the full facts of the case, especially if electricity had been denied earlier at any stage. However, the reply submitted was off the point and not adequate, so a hearing was again held on 25.11.2014.

During the hearing it emerged that the orders of the CGRF and the Rohini Court are clear enough and there is no issue for coming with an appeal to the Ombudsman. The matter is only one of compliance of the CGRF order and the order of the Rohini Court where settlement was arrived at. This requires the complainant/appellant to file an execution petition before the CGRF rather than an appeal to the Ombudsman. Further, the issue of revival of an earlier connection of Shri Sunil Bansal also requires CGRF to have a look at it, in case modification of its earlier orders are required.

It may however be pointed out, while remanding the case to the CGRF for having its orders executed, that the DISCOM did not have any option but to execute the orders of the CGRF and the settlement before the Rohini Court within 21 days of the CGRF orders of 23.06.2014 under Regulation 9 (6) of the DERC Regulations, 2003. In case they did not succeed they were required to apprise the CGRF of the reasons for their inability to do so. The CGRF has, on earlier occasions, directed the DISCOM and the Police Authorities to intervene to ensure that its orders are complied with and the same could have been done in this case also. However, the matter was never brought to their notice. It appears it is also necessary from time to time for the CGRF itself to review the

implementation of its orders so that the DISCOM is not able to claim difficulties and put consumers to inconvenience. The fact that the DISCOM itself did not bring this to the notice of the CGRF is objectionable and this forced the appellant/complainant to come to the Ombudsman. The DISCOM will be required to compensate the appellant for his inconvenience. An amount of Rs.2,000/- would be adequate for the purpose and this may be part of any further orders on execution that the CGRF may pass in the execution hearing.

The appeal is disposed off accordingly.



(PRADEEP SINGH)
Ombudsman

2nd December, 2014

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