

**CONSUMER GRIEVANCE REDRESSAL FORUM,  
AMRAVATI ZONE, AKOLA.**

*“Vidyut Bhavan”,  
Ratanlal Plots,  
Akola: 444 001  
Tel.No.2434476*

Dt- 29/08/2013

**Complaint No.67/2013**

**Grievance in respect of passing of order by IGRC in absence of complainant  
so also for change of name**

Quorum :

Shri T.M.Mantri,	<b>Chairman</b>
Shri P.B.Pawar,	<b>Secretary</b>
Shri A.S.Gade	<b>Member</b>

Shri Rajiv Dadarao Patil, (Con.No. 310071440086) ... Complainant

...VS...

The Executive Engineer, Urban Dn.Akola ... Respondent

***Appearances:***

Complainant Imperson

Respondent Representative : Shri Mankar, Executive Engineer  
Shri V.P.Mankar Dy.Executive Engineer.

1. The complainant has approached this forum alleging that though he has approached IGRC Akola in respect of his grievance about change of name of the consumer, but without granting an opportunity of hearing and without informing the complainant, the said matter has been disposed off. It is alleged that though on 10/4/2013 the complainant had approached the IGRC, it was decided in his absence without intimation and though the complainant thereafter had approached the authorities of N.A., it was advised to submit a fresh application. Thereby injustice is being caused to the complainant; hence he has approached this forum. Alongwith it he has filed copy of order dated

24/05/2013 of IGRC Akola, acknowledgement of CFC centre of 10<sup>th</sup> January, 2013 and other documents, seeking the relief prayed for.

2. As per the regulations, notice came to be issued to the N.A. for its reply to the complaint. Reply came to be filed on behalf of N.A. admitting the approach made by the complainant to the IGRC and disposing of the said complainant on 24/5/2013. It is alleged that the Dy.Executive Engineer, Urban Division No.1, Akola had informed the consumer to submit the required documents, but the complainant yet to submit the same. The complainant's averments in the complaint are misleading and N.A. is ready to make compliance, if all relevant papers are received. Lastly, pressed for setting aside the request of the complainant, as he has suppressed the facts. On behalf of the N.A. copies of some documents came to be filed such as list of documents letter dated 31/7/2013 to the complainant and letter dated 1/8/2013.

3. The matter was then posted for arguments. On the date of hearing the complainant, in person, was present and made his submissions. None present on behalf of the N.A. on that date. On the next date the matter was adjourned for hearing as a last chance. Heard Shri Mankar, Executive Engineer the learned representative of the N.A. with Shri V.P.Mankar Dy.Executive Engineer. That the complainant has remained absent on that date but he has already argued his side. As per the submissions made on behalf of the N.A. only copies of two documents Kharedi Patra and Electric Bill, have been submitted on behalf of the complainant and in absence of other relevant documents as mentioned in the list for change of name, compliance could not be made. Where as according to the complainant, he has submitted all the necessary documents at the time of submission of application for change of name and acknowledgement No.4275-0000878 dated 10/1/2013 came to be

issued by the CFC centre. He has vehemently submitted that, unless the requisite documents are annexed/submitted with the application, CFC centre does not accept the application and issue of acknowledgement by the said centre, as referred to above, establishes that the complainant had submitted all the documents. According to him, without giving an intimation the IGRC has passed the order and disposed off his grievance compelled him to approach this forum. He has categorically averred that he had approached the concerned authority, the then Executive Engineer and he was asked to submit a fresh application. The complainant has submitted that when he has already incurred expenses in making compliance, why he should be penalized for misplacement of the documents in the office of the N.A. Whereas, on behalf of the N.A. the learned representative has submitted that the things were happened in the regime of the then officers, then Executive Engineer and other officers, but on the record only two documents have been seen, hence the complainant has been requested to make compliance by submitting other documents. Those officers are not working in the office and present officers have resumed the office recently.

4. During the course of hearing, when a query was made that whether the CFC centre issues acknowledgement without requisite application only on the basis of two documents referred to above, certainly the answer was in negative. Admittedly, all documents asked for, require incurring of expenses, such as bond paper, swearing in affidavit etc. When according to the complainant, he has already incurred those expenses, why he should be burdened financially apart from delay in getting the required changes. It seems that there is possibility of misplacement /loss of some of the documents from CFC centre or concerned Department of the N.A. Merely on the basis of 2 documents acknowledgement as referred to above, could not have been

issued by the C.F.C. centre. During the course of arguments the learned Executive Engineer has fairly submitted that, as a special case considering the facts and possibilities, even if, the complainant furnishes copy of Form A-1 duly filled in and signed, the N.A. will take immediate and prompt steps so as to change the name of the consumer. Copies of other relevant documents are on the record of the present proceedings. He was even fair enough in making submission that Form A-1 will be sent to the complainant enabling him to submit the same, after making compliance. This forum is of considered view that looking to the circumstances and possibility of misplacement/loss of documents, when the learned representative of the N.A. is giving fair and reasonable proposal, so as to resolve the matter amicably, without causing any financial liability on the complainant, it will be just and proper to accept the same and pass appropriate unanimous order in the following terms:

### **ORDER**

- 1 That upon submitting form No. A-1 duly filled in and signed by the complainant, the N.A. to change the name of the complainant as Consumer, immediately within a week.
- 2 In the circumstances no order as to cost.
- 3 Compliance to be submitted within a month.

Sd/-  
(A.S.Gade)  
Member

Sd/-  
(P.B.Pawar)  
Secretary

Sd/-  
(T.M.Mantri)  
Chairman