

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

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

January 1,2014.

Complaint No.103/2013

In the matter of grievance of refund of amount paid for Electricity, connection
etc.

Quorum :

Shri T.M.Mantri,	Chairman
Shri A.S.Gade,	Member
Shri P.B.Pawar,	Secretary

Sau Sulochana B.Pandhare, Anjangaon Surji ... Complainant

...VS...

The Executive Engineer, MSEDCL, Achalpur camp ... Respondent

Appearances:

Complainant Representative: Shri Pravin B.Pandhare,

Respondent Representative: Shri Pise, A.E. MSEDCL Anjangaon Surji

1. The complainant's grievance is for not refunding the amount of Rs.2020/- deposited on 21/10/1997 for getting Ag. pump connection. According to the complainant inspite depositing the amount as per demand note and making approaches time and again neither the connection was provided nor the amount was refunded. As per complainant, because of financial problem, in the meantime, she was required to sale out the said Ag. field and though amount was demanded from N.A. orally as well as in writing it was not refunded, hence she has claimed the amount with interest and

compensation as per regulations. Copies of certain documents annexed with the complaint.

2. Notice as per regulations came to be issued to the concerned office of the N.A.licensee for reply to the complaint. Time was sought on behalf of the N.A. for submitting reply and inspite thereof the reply was not filed and ultimately it came to be filed belatedly, wherein depositing of amount of Rs.2020/- on 21/10/1997 is admitted but it is stated that she has not submitted the test report. Similarly it is stated that the complainant has sold out the said land to one Mohd.Rajik Mohd.Sharif, Anjangaon on 24/04/2007. It is stated that from the records it seems that neither the well nor bore was in the field, hence Ag. connection to complainant could not be released.

3. It is further stated that the application dt.1/11/11 for refund by the complainant is misplaced and not traceable whereas the A.E.Anjangaon has initiated the case for refund of S.D. by letter dated.30/11/13 and it is under process, hence the application needs to be rejected. Alongwith reply copy of the sale deed dt.24/04/2007 and letter of A.E. dt. 30/11/13 to S.E. is filed.

4. Heard Mr. Pravin B. Pandhare, the son and representative of the complainant and Shri Pise, A.E., the learned representative of the N.A. licensee. As is clear from record the depositing of Rs.2020/- by the complainant on 21/10/1997 is not in dispute. It is also not in dispute that on 24/04/2007 the said Ag. field has been sold out by the complainant and the complainant has made demand for refund of the amount deposited with it.

Copies of letters dt. 1/11/11 and 10/10/13 are on record bearing seal and signature of the recipients on behalf of the N.A. None of them have been replied nor any steps have been taken for refund of the amount. Attempt made on behalf of the N.A. in reply raising untenable plea's for not providing connection cannot be understood. Nothing has been brought on record to remotely point out that any steps have been taken for years together. The complainant is seeking relief of refund of amount deposited with compensation and find merely because the A.E. has sent the letter to S.E. for taking steps to refund the amount to the complainant by letter dated 30/11/13 cannot be the basis for rejection of the complaint. It is thus clear that after approach made by the complainant to Forum and after getting notice of the Forum such steps have been taken . If according to the N.A. it had knowledge of disposal of the Ag. field in 2007 itself by the complainant it ought to have refunded the amount immediately. That would have been befitting the say. After sending letters by the complainant in the year 2011 and then 2013 as referred to above, nothing has been done from the side of the N.A. It did not bother even to reply, what about taking steps for refund. Now it is rather surprising to make submissions for dismissal of the complaint as certain steps have been taken, however, the fact remains that till the time, the amount is not refunded to the complainant.

5 During course of arguments it has been submitted that the N.A. is charging interest on the dues to the consumers, similarly it pays interest on deposits, consequently the liability of payment of interest at RBI rate against the N.A. arises. In any case after receipt of letter dt. 1/11/11 and subsequent

letter if amount would have been returned then it could have been said that there was reasonable approach and attitude on the side of the N.A. That having not been done but submissions are made on its behalf for dismissal of complaint, cannot be accepted. The N.A. is liable to refund amount of Rs.2020/- with interest at R.B.I. rate to the complainant from 24/4/2007 till the date of making of payment to the complainant. The complainants claim on other grounds of mental harassment/compensation is not made out in any manner, hence the same has to be rejected. Consequently the forum proceeds to pass following unanimous order.

ORDER

- 1 The N.A. is liable to refund immediately Rs.2020/- to the complainant alongwith interest at R.B.I's rate from 24/4/2007 till the date of making of payment to the complainant.
- 2 The complainants claim for mental harassment and compensation on other grounds is rejected.
- 3 Compliance report to be submitted within one month from this order.

Sd/-
(A.S.Gade)
Member

Sd/-
(P.B.Pawar)
Secretary

Sd/-
(T.M.Mantri)
Chairman