

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, M.S.E.D.C.L., AURANGABAD.

(Case No: CGRF/ AZ / Aur / U / 376 / 2012 /09)

Date of Filing: 14.02.2012

Date of Decision: 20.03.2012

01) Shri Gujrati Dasa Porwad Samaj Trust,
25, Shantiniketan Colony,
Aurangabad Consumer Complainant.
(Consumer No. 490014148393)

V/s

02) The Superintending Engineer, Respondent No.1
Nodal Office, Urban Circle, MSEDCL,
Aurangabad.

03) The Dy. General Manager, Respondent No.2
GTL Limited, CIDCO,
Aurangabad.

Coram:

Shri V.B. Mantri President

Shri V.S. Kabra Member

Shri Mohd.Qamarudin Tech. secretary

Sub:- Refund of amount paid for Temp. connection.

ORDER

01) The case of the complainant in brief is that. The complainant had applied for temporary connection of 5 KW load at Mahalaxmi Mata Mandir situated at Kuwarphalli, Aurangabad to celebrate Navratri Festival for Gujrati Community of Aurangabad. The Temporary connection was for religious purpose

- 02) The respondent No.2 visited the premises and issued quotation/demand note dated 24.09.2011 and thereby asked the complainant to deposit Rs.10,000/- for such temp .connection. The complainant accordingly paid the deposit of Rs.10,000/- in cash on 27.09.2011. The respondent No.2 released temp. connection on 28.09.2011. The connection was removed on 07.10.2011 on completion of festival. The meter reading was shown as 335 as against initial reading 1. The total consumption as such was 334 units. The respondent No.2 was supposed to issue final bill within a month, but inspite of constant follow-up for settlement of bill and refund of excess amount, respondent did not settle the bill till 17.02.2011. On 17.02.2011 respondent No.2 issued final bill and issued cheque of Rs.4698 towards refund of deposit. It revealed to the complainant that, the respondent No.2 applied commercial tariff instead of religious tariff therefore the complainant issued request letter to the respondent No.2 on 19.12.20-11 to revise the bill. It is the grievance of the complainant that, inspite of constant followup, no head was given to the grievance of the complainant.
- 03) It is submitted by the complainant that, he contacted Mr. Sangram at Kranti Chowk Office on 30.12.2011, but in turn he asked the complainant to contact accounts department at CIDCO, Aurangabad. The approach of the respondent No.2 was careless to redress the grievance. Hence complainant has submitted this grievance before this Forum.
- 04) In response to the notices issued to the respondents, the respondent No.2 GTL Ltd. has filed its reply/say/to the grievance petition and submitted that, the complainant has never approached to IGR Cell. The GTL Ltd. was in process of settling the grievance and in process, the bill of consumer was rectified. It is submitted that, as the complainant did not approach IGR Cell the application may be disposed off.
- 05) This Forum heard submissions of Mr. Kapadiya, the representative of the complainant. Mr. Ashtikar, & Mr.Borde, argued for GTL Ltd. During arguments, Mr Kapadiya submitted that, complainant is satisfied with revised bill however argued that, compensation may be granted due to harassment, mental torture caused to the complainant, due to negligent, and careless approach of GTL

towards the grievance of the consumer. He has attracted our attention towards copies of letters given to the GTL Ltd. and pressed for compensation. Hence in view of the submissions the following points arise for our considerations and our findings to the said points are as follows:-

POINTS

01.	Whether the consumer/complainant is entitled for compensation towards failure in service and careless approach against the consumer.	Yes
02.	What should be quantum of compensation	Rs.200/- payable by cheque/or cash to the consumer within two weeks from the date of this order

REASONS:-

There is no dispute that, the complainant had applied for temp. connection. The connection was for religious purpose. The complainant has deposited the sum of sRs.10,000/- as asked for. The connection was released on 27.09.2011 and removed on 07.11.2011. The total consumption was for 334 units.

There is no dispute that, the GTL Ltd. has issued final bill on 17.12.2012 along with cheque of Rs.4698/- towards refund of deposit. There is no explanation or justification on behalf of the GTL Ltd. as to why for such delay has been caused to refund the excess deposit. The connection was removed on 07.11.2011, but refund of deposit is made on 17.12.2012. It is nothing but failure in service. More over there is no explanation on behalf of the GTL Ltd. for such failure in service. The complainant as such is entitled for compensation towards failure in service.

The GTL has issued final bill on 17.12.2011. The bill is for Rs.14030 however consumption unit has been shown to be Zero. The reply given by Nodal officer as against the complaint dated 01.03.2012 support this fact. The copy of the bill has been produced by the complainant. Another bill for 334 units has been issued for Rs.5,302 and thereby the GTL has refunded the sum of Rs.4698 towards excess amount from deposit of Rs.10,000/-

The complainant has produced copy of letter dated 19.12.2011, whereby the complainant had requested the GTL to refund balance amount for temp. connection. It is requested to apply tariff of religious purpose, but it appears that, no cognizance of such request was taken by GTL Ltd. The complainant has produced copy of another letter dated 03.01.2012(shown as 03.01.2011) and again requested for refund of excess amount, but it appears that no cognizance of such letter was taken by GTL Ltd. The complainant was thereby compelled to file such complaint. It is therefore found no merit in the submission of Mr. Borde Legal Manager of GTL that, complaint be disposed of as complainant did not approach to IGR Cell. On filing of the complaint, before this Forum the GTL Ltd. has issued revised bill for Rs.1564/- for the consumption of 334 units. It therefore reveals that the GTL Ltd. did not found it well to issue revised bill and to apply correct tariff and to refund the excess amount inspite of repeated requested made by complainant such approach of GTL Ltd. can be thereby said to be care-less approach for which infact heavy compensation is required to be imposed, but the members of this Forum is of the opinion that, token compensation of Rs.200/- would be sufficient indication one sort of warning to the GTL and thereby this Forum found it well to fix the quantum of Rs.200/- towards the amount of compensation payable by GTL Ltd. to the consumer within two weeks from the date of this order. There is no grievance now regarding refund of amount. Hence grievance is redressed subject to payment of compensation. Hence this Forum proceed to pass following order.

ORDER

The respondent No.2 GTL Ltd. shall pay Rs.200/- (Two hundred only) to the consumer either in Cash or by Cheque to the consumer within two weeks from the date of this order towards failure in service and careless approach of GTL Ltd. towards consumer.

Sd/-
(V.S.Kabra)
Member

Sd/-
(Mohd. Qamaruddin)
Member/Secretary

Sd/-
(V.B.Mantri)
Chairperson

