2002 1 CPC 661 : 2002 1 CPJ 207 : 2002 1 CPR 58

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Case No: None

VIJAY KUMAR — APPELLANT

Vs

Delhi Vidyut Board — RESPONDENT

Date of Decision: April 24, 2001

Citation: 2002 1 CPC 661 : 2002 1 CPJ 207 : 2002 1 CPR 58

Hon'ble Judges: Lokeshwar Prasad , Rumnita Mittal , S.P.Saberwals J.

Final Decision: Appeal dismissed

Judgement

1. THE present appeal, filed by the appellant, under Section 15 of the Consumer Protection Act, 1986 (hereinafter referred to as "the Act"), is

directed against order dated 2.3.2001, passed by District Forum (North-West), Shalimar Bagh, Delhi in Complaint Case No. 2500/2000 -

entitled Shri Vijay Kumar v. Delhi Vidyut Board & Anr.

2. THE facts, relevant for the disposal of the present appeal, briefly stated, are that the appellant, Shri Vijay Kumar, claiming himself to be the

general attorney of one Smt. Sundari Devi, had filed a complaint before the District Forum under Section 12 of the Act averring that he was a

consumer in respect of electricity connection bearing K-No. 7314419, installed at his residence at A-1/2-B, Keshavpuram, Delhi. THE grievance

of the appellant, in the complaint, before the District Forum, in nutshell, was that the appellant had requested the respondent several times for the

transfer of connection in his name, yet, his request to correct the bills in correct name was not acceded to. His further grievance was that the meter

in question got burnt and in spite of repeated requests, the same was not changed even after a gap of one year. It was stated that despite the above

facts the appellant had paid all the bills raised by the respondents. It was prayed by the appellant, in the complaint, filed by him that the

respondents be directed to correct the bills and refund an amount of Rs. 24,137/- together with compensation of Rs. 20,000/- and litigation

expenses to the extent of Rs. 5,000/-.

The claim of the appellant, in the District Forum, was resisted by the respondents and the stand taken by the respondents in their reply/written

statement was that the bills for the consumption of electricity in respect of the meter in question had been raised on the basis of average

consumption. The stand taken by the respondents was that there was no deficiency in service on the part of the respondents.

The learned District Forum, vide impugned order, has dismissed the complaint filed by the appellant.

3. FEELING aggrieved, the appellant has preferred the present appeal under Section 15 of the Act.

We have heard the learned Counsel for the appellant at length on the question of admission of the present appeal and have also carefully gone

through the documents/material on record. On the basis of material on record it is apparent that the complaint, filed by the appellant, before the

District Forum, was directed to be dismissed by the learned District Forum on the ground that the appellant was not the registered consumer of the

respondent as the meter in question was not in the name of the appellant but was in the name of one Smt. Sundari Devi, w/o Shri A.K. Jain. It has

been further held by the learned District Forum that though the appellant claimed himself to be a general attorney of said Smt. Sundari Devi but no

power of attorney had been filed and there was nothing on record to indicate that the appellant was the general attorney of said Smt. Sundari Devi.

The learned District Forum has also held that though the appellant claimed that he had purchased the premises in question in 1989 yet the appellant

could not produce any document which may establish that the appellant had purchased the house in question and that he ever applied for the

transfer of electric connection in question in his name. Even before us, no such document could be produced by the learned Counsel for the

appellant. In the presence of the above facts, in our opinion, no fault can be found with the findings of the learned District Forum. The same, in our

opinion, suffer from no infirmity so as to call for any interference by this Commission in exercise of its appellate powers. The present appeal, filed

by the appellant, is therefore, devoid of substance. The same merits dismissal. Accordingly, the same is dismissed in-limine with no order as to

costs. Appeal dismissed.