
(2003) 11 NCDRC CK 0045

In the National Consumer Disputes Redressal Commission

AJMER VIDYUT VITRAN NIGAM LTD.

APPELLANT

Vs

PRAMOD SISODIYA

RESPONDENT

Date of Decision : 13-11-2003

Acts Referred:

Citation : 2004 2 CPJ 143

Hon'ble Judges : M.A.A.Khan , Ratan Prakash J.

Final Decision : Appeal dismissed

Judgement

1. HEARD. The respondent had applied for sanction of an electric connection for domestic purposes by the appellant to him. By a demand notice dated 27.8.2001 the appellant raised a demand of Rs. 7,250/-. The respondent objected to amount shown in the demand notice on the ground that electric supply line already stood laid down in the colony and the connection was to be sanctioned to him from such existing supply line. He further contended that the colony in question wherein his house was located, was a developed colony inasmuch as that the development charges had already been realised from the residents therein by the Nagarpalika, Chittorgarh. The respondent, therefore, accused the appellant for having adopted unfair trade practice for sanction of electric connections to the consumers. The appellant though contended that as per circular dated 13.7.2001 issued by the appellant, it was entitled to demand a sum of Rs. 5,000/- from the respondent for the reason that the colony wherein his house was situated was an undeveloped area. After having considered this circular the Forum held that since it was clearly proved by the certificate issued by the Nagarpalika, Chittorgarh that the colony, wherein the house of the respondent was located, was a developed colony and the development charges had already been realised from the residents thereof, the appellant was not entitled to charge a sum of Rs. 7,250/- from the respondent. The Forum, therefore, directed the appellant to issue amended demand notice requiring the respondent to deposit a sum of Rs. 2,000/-. Aggrieved against such direction of the Forum the appellant has filed this appeal.

2. THE learned Counsel for the appellant although urged that the case of the respondent fell under the category of undeveloped areas and in this behalf he referred to the circular dated 13.7.2001. But we find the Forum has considered this document and after having taken into account the certificate issued by the Nagarpalika, Chittorgarh with regard to the category of the colony as being developed colony, has come to the conclusion that the case fell within the domestic category mentioned at A(1) and accordingly the appellant was entitled to charge a sum of Rs. 2,000/- only from the respondent. Thus there is no basis for the arguments advanced on behalf of the appellant. The appeal is devoid of any force and is accordingly dismissed summarily. If the demand notice has not yet been issued in compliance of the impugned order, such notice shall be issued forthwith by the appellant to him within a period of 15 days positively. Appeal dismissed.