

(2011) 08 NCDRC CK 0067

In the National Consumer Disputes Redressal Commission

Asst. Engineer, Water Works Dept.

APPELLANT

Vs

Ramesh Kichi

RESPONDENT

Date of Decision : 02-08-2011

Acts Referred:

Citation : 2011 0 NCDRC 520 : 2011 3 CPJ 479

Hon'ble Judges : V.B.Gupta , Suresh Chandra J.

Final Decision : Revision petition dismissed

Judgement

1. RESPONDENT herein is the original complainant who filed a complaint before the District Forum, Jodhpur on 21.9.2005 stating inter alia that he took water connection from the Petitioner-1 Department in the year 2000 and since then he is paying the water charges regularly. It is the case of the complainant that in the month of February 2003, a bill for Rs.1,000/- was issued by the office of the OP-1/Petitioner-1 and the last date for depositing that amount was 19.2.2003. The complainant deposited that amount on 13.2.2003 but in spite of that, without giving any notice, water connection of the complainant was disconnected by OP-1 authority. When he approached the office of OP-1, he was asked to deposit Rs.100/- as reconnection charges which he considered to be against law since he had already deposited the bill raised against it on 13.2.2003 and within the stipulated period. Alleging deficiency in this regard on behalf of the petitioners, he filed a consumer complaint. The District Forum dismissed the complaint vide its order dated 13.7.2006. Feeling aggrieved by the dismissal of his complaint, the complainant/respondent challenged the order of the District Forum before the Rajasthan State Consumer Disputes Redressal Commission, Circuit Bench, Jodhpur (State Commission for short) which allowed the appeal of the complainant vide its impugned order dated 6.11.2006 and gave the following directions:- Accordingly, this appeal filed by the appellant complainant is allowed and the impugned order dated 13.7.2006 passed by the learned District Forum, Jodhpur is quashed and set aside and the complaint of the complainant appellant stands allowed to the extent and in the manner that the respondents are directed to reconnect the water supply to the appellant complainant within a

period of one month from today and the bills would be charged from the date of reconnection and no re-connection fee would be charged from the complainant appellant. It is against the aforesaid order of the State Commission that the present revision petition has been filed by the OP/Petitioners.

2. WE have perused the record placed before us and heard learned counsel for the petitioners and the respondent who is present in person. Issuance of the bill in the month of February 2003 for Rs.1,000/- asking the respondent to deposit it within the stipulated time and the respondent having deposited the amount on 13.2.2003 within the time allowed are the basic facts which are not under dispute. In spite of this, the water connection of the complainant/respondent was disconnected by the OP authorities and he was asked to pay the reconnection charges against which he lodged a consumer complaint. In consideration of these basic and undisputed facts, the State Commission has accepted the complaint of the respondent and set aside the order of the District Forum. WE do not find any irregularity, illegality or jurisdictional error in the impugned order which would call for any interference from this Commission through the present revision petition. The revision petition of the petitioner Authorities, therefore, stands dismissed.