

(2004) 03 NCDRC CK 0034

In the National Consumer Disputes Redressal Commission

BOMBAY SUBURBAN ELECTRIC SUPPLY LTD.

APPELLANT

Vs

SHYAM BHAJANMAL LUTHRIA

RESPONDENT

Date of Decision : 11-03-2004

Acts Referred:

Citation : 2004 2 CLT 532 : 2004 2 CPJ 643

Hon'ble Judges : M.S.Rane , R.N.Varhadi J.

Final Decision : Appeal dismissed

Judgement

1. RESPONDENT-org. complainant Mr. Shyam B. Luthria, present in person in response to the notice.

2. WE are proceeding to dispose of this appeal at the stage of its admission itself on hearing the learned Advocate for the appellants as also respondent-org. complainant and on perusal of the material available in the appeal paper book. (For brevity's sake appellants are org. O.Ps. and hereinafter referred to as "Electricity Board" and respondent-org. complainant as "Complainant"). The Electricity Board has taken exception to the order dated 24th July, 2003 passed by Mumbai Suburban District Forum, Bandra holding it being deficient in rendering services vis-a-vis the complainant in raising and issuing consumption bills for the electricity supply at the residential place of the complainant and so holding after taking into consideration that during the pendency of the dispute, defects were rectified, has awarded a sum of Rs. 5,000/- as compensation for mental agony and Rs. 1,000/- towards cost of the proceeding.

The deficiency that was alleged was of raising and issuing consumption bills for the electricity supplied to the complainant on the basis of commercial use, when in fact supply was made available at the residential place of the complainant where no commercial activities were carried out.

3. IT appears that after receipt of the bills, complainant approached the concerned officials of the Electricity Board and also wrote as many as 4-5 letters pointing out the real position but since nothing was done that he was required to

approach the District Forum. It appears that after service of the process of the District Forum, Electricity Board realised that it was a mistake on its part to wrongly charge the complainant on the basis of commercial use and rectified the defects.

4. THE material placed before us clearly shows that the complainant was frantically making efforts prior to filing of the complaint. He wrote as many as 5 letters to the officials of the Electricity Board and if the appropriate steps have been taken within reasonable time, complainant would not have required to approach the District Forum. Taking into consideration all these facts, the award of Rs. 5,000/- as compensation and Rs. 1,000/- as cost awarded by the District Forum is a reasonable one, needing no interference. ORDER 1. Appeal stands dismissed. 2. No order as to costs. 3. Copies to be furnished to the parties.

Appeal dismissed.