

(1995) 11 NCDRC CK 0039

In the National Consumer Disputes Redressal Commission

ELECTRICITY BOARD, DY. EXECUTIVE ENGINEER, GUJARAT	APPELLANT
Vs	
THAKOREBHAI NANUBHAI AMIN	RESPONDENT

Date of Decision : 03-11-1995

Acts Referred:

Citation : 1996 3 CPJ 40

Hon'ble Judges : R.C.Mankad , Jatin P.Vaidya J.

Final Decision : Appeal partly allowed

Judgement

1. AT the request and with the consent of the parties this appeal is taken up for hearing today.

2. THIS appeal is directed against the judgment and order dated July 2,1993 passed by the District Consumer Disputes Redressal Forum, Panchmahals at Godhra (District Forum for short) and the only question which we were called upon to decide is whether the District Forum was right in directing the appellants to give electrical connection to the respondent of 15 H.P. from industrial line. The grievance of the appellants is that electrical connection could not be given for agricultural use from industrial feeder/line. It was for that reason that the respondent was not given electric connection from the industrial line. It is, however, submitted on behalf of the respondent that other persons who wanted the electric supply for agricultural use were given electrical connection from industrial feeder and, therefore, there was no justification to discriminate the respondent and refuse to him supply of electricity from industrial feeder. In this connection the explanation given on behalf of the appellants is that the persons who were given electric supply for agricultural use from industrial line only as a temporary measure till agricultural feeder/line was installed. These persons have now been given electric supply from the feeder meant for agricultural use.

After carefully considering the submissions made on behalf of both the parties, in our opinion, it would not be proper to deny electric connection to the respondent till the agricultural feeder/line is installed. As in other cases the respondent could be given electric supply temporarily from the industrial feeder/line. When

agricultural feeder/line is installed, the electric supply to the respondent may be shifted over to this feeder. There is, however, some force in the argument of the appellants that the respondent cannot be given electric supply permanently from industrial feeder. Therefore, to that extent, the order passed by the District Forum requires to be modified.

3. IN the result, we partly allow this appeal and direct that the respondent be given electric connection of 15 H.P. from the industrial feeder/ line temporarily till such time the agricultural feeder/ line is installed. The electric supply would be discontinued from industrial feeder and respondent will be given electric supply from the agricultural feeder/line no sooner such feeder is installed without any break in the electric supply. If there is already agricultural feeder/line in existence, the appellant may give electric supply from such feeder/line and not industrial line/ feeder. The District Forum's order shall stand modified to the above extent. The appellant shall pay to the respondent cost of Rs. 250/-. Appeal partly allowed. _____