
(2004) 06 NCDRC CK 0094

In the National Consumer Disputes Redressal Commission

JAIPUR VIDYUT VITRAN NIGAM

APPELLANT

Vs

Murari Lal

RESPONDENT

Date of Decision : 17-06-2004

Acts Referred:

Citation : 2006 1 CPJ 265

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

Final Decision : Appeal partly allowed

Judgement

1. HEARD The respondent-complainant had applied on 19.1.2000 for electric connection for domestic purposes. Accepting the application of the complainant-respondent, the appellant issued a demand notice dated 30.3.2000 requiring the respondent to deposit a sum of Rs. 8,540 along with "L" form. The respondent duly deposited the aforesaid amount as also the "L" form with testing fee of Rs. 90. But the connection was not provided to him on the ground that on verification by the Tehsildar the wiring made in the "Pator" was not upto the mark. The Forum after having taking into account the facts and circumstances of the case held that since a supply line had already been laid down by the appellant upto the residential premises of the respondent who had not only deposited the amount demanded but had also submitted the "L" form issued by an electrician duly authorised by the appellant to issue such licence, the appellant had rendered deficient services to the respondent in not providing an electric connection to him. The Forum accordingly directed the appellant to provide the desired connection to the respondent and also to pay a sum of Rs. 1,000 as cost of litigation and Rs. 3,000 as compensation for mental agony. Hence this appeal by the appellant.

2. THE learned Counsel for the appellant urged that since the Tehsildar in his report has stated that the fitting of the electric wires in the "Pator" was not upto the mark and was incomplete, the appellant was justified in not providing the electric connection to the respondent. That may be so but looking to the fact that once the appellant undertakes to provide electric connection in structure like

Pator which are raised simply by placing stone slabs one upon the other, the standard of electric fitting in such construction cannot be the same as may be required in A or B class construction. THE licensed electrician had issued "L" form and the appellant had received the amount of demand notice as also testing fee from the respondent, they should have, therefore, provided the electric connection to him. We thus agree with the Forum that the appellant had rendered deficient services to the respondent in not providing an electric connection to the respondent. However, we agree with the learned Counsel for the appellant that the amount of compensation for mental agony as awarded by the Forum is somewhat on higher side. We were given to understand that a sum of Rs. 2,000 has already been deposited by the appellant in that behalf. We were inclined to reduce the amount of Rs. 3,000 to Rs. 2,000 only. The impugned order shall be deemed to have been modified accordingly. The appeal stands partly allowed. Appeal partly allowed