

(2009) 08 NCDRC CK 0013

In the National Consumer Disputes Redressal Commission

MADAN LAL

APPELLANT

Vs

Jaipur Vidyut Vitran Nigam Ltd. and Ors.

RESPONDENT

Date of Decision : 13-08-2009

Acts Referred:

Citation : 2009 4 CPJ 96

Hon'ble Judges : B.N.P.SINGH , S.K.NAIK J.

Final Decision : R.P. dismissed

Judgement

1. THE salient features of the case are that grand -father of the petitioner sought provision of electricity connection in the year 1992 -93 for which demand notice dated 20.6.1997 for Rs. 1,875 was raised. Though the deposit was accordingly made on behalf of the petitioner, electricity connection was not provided even after lapse of 3 years and it was only in the year 1997 that the electricity department erected pole and released electricity in the year 1999. The petitioner alleging deficiency on part of the respondent filed a consumer complaint with the District Forum. The contentions raised on behalf of the petitioner was resisted by the respondent authority and the District Forum analysing the issue partly accepted the complaint directing the respondent herein to pay compensation of Rs. 10,000 for mental tension and agony and Rs. 1,000 as litigation cost, to the complainant.

2. THE finding recorded by the District Forum was impeached both by the consumer and also the electricity department filing two different appeals before the State Commission and the State Commission finding no merit dismissed both the appeals.

3. NOW the petitioner has come before us for enhancement of compensation awarded by the District Forum which was also upheld by the State Commission. The petitioner who appears in person submits that since he lost the yield of two successive crops, the compensation awarded by the District Forum was quite inadequate to mitigate the suffering suffered by him. There being no reliable and credible document put on the record on behalf of the petitioner suggesting loss

of income allegedly suffered by him due to failure of successive two crops for want of electricity, the District Forum had awarded compensation of Rs. 10,000 along with cost of Rs. 1,000 for harassment and mental agony which was also upheld by the State Commission. Though the petitioner would draw our attention to some documents placed on the record which are at pages 51 -54 of the paper - book, that would not suggest the yield of the crop in a particular year for which compensation has been sought. It is well acknowledged that yield of crop depends on a variety of factors and no exact anticipation can possibly be made for the yield of crop in a particular year. In our considered view, the compensation awarded to the petitioner was quite adequate to mitigate the suffering suffered by him which did not warrant our interference. No case was made for enhancement of compensation and we accordingly dismiss the revision petition on admission but without order as to cost.