
(1990) 11 NCDRC CK 0034

In the National Consumer Disputes Redressal Commission

M.C.D. (D.E.S.U.)

APPELLANT

Vs

BUDH PARKASH

RESPONDENT

Date of Decision : 06-11-1990

Acts Referred:

Citation : 1992 1 CPJ 314

Hon'ble Judges : R.N.Mittal , B.L.Anand , Avtar Pennathur J.

Final Decision : Appeal dismissed

Judgement

1. THIS appeal has been filed by the Delhi Electricity Supply Undertaking, hereinafter referred to as D.E.S.U. against the order of the District Forum dated 28th June, 1990 by which the D.E.S.U. has been directed to give electric connection to the complainant.

2. BRIEFLY, the facts are that Shri Budh Parkash respondent made an application to D.E.S.U. that he was residing in House No. 74 and that electric connection be given to him in that house. He also deposited Rs. 705/- as security amount and other charges for the connection. D.E.S.U. did not give the connection to him. Consequently, he filed a complaint before the District Forum. It was contested by the D.E.S.U. The complaint was accepted by the Forum and the abovesaid order was passed by it. D.E.S.U. has come up in appeal against the said order to this Commission. It is contended by Shri Ahluwalia Counsel for the appellant that the respondent was earlier residing in House No. 70 and that he did not clear the bills of D.E.S.U. regarding consumption of electricity relating to the period 1988-89. According to him in that situation, he was not entitled to get connection in the new house namely House No. 74. On the other hand Miss Jaya Aggarwal, Counsel for the respondent has argued that during the period 1988-89 about which period charges are alleged to be due from the respondent, he was not residing in House No. 70 but was residing in House No. 74. In support of her contention she has placed reliance on the photostat copies of the Ration Card produced on the records.

We have duly considered the arguments of the learned Counsel and seen the

record be find from the Ration Card that the respondent was entered in possession of House No. 74 w.e.f. 12th February, 1986. In case he was residing in House No. 74 since 1986, he could not consume that electricity in House No. 70 in respect of K. No. 132738 which is in the name Shri Sis Ram. Thus the appellant is entitled to claim the amount if any due to it with regard to House No. 70 from Shri Sis Ram and not from the respondent. The respondent in our view is entitled to electric connection in House No. 74. For the aforesaid reason, we do not find any merit in appeal and dismiss the same with no order as to costs. Appeal dismissed.