
(1992) 02 NCDRC CK 0026

In the National Consumer Disputes Redressal Commission

MUNICIPAL CORPORATION OF DELHI

APPELLANT

Vs

SUMER SINGH MANN

RESPONDENT

Date of Decision : 28-02-1992

Acts Referred:

Citation : 1992 0 CPC 758 : 1992 1 CPJ 217

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

Advocate : P.K.Saxena , P.S.Jain , B.D.Sharma , S.S.Manna

Final Decision : Dismissed

Judgement

1. THIS appeal has been filed against the order of the District Forum dated 21.10.91, wherein direction has been given to Delhi Electric Supply Undertaking to provide Electric connection to the complainant within 30 days from the date of the order.

2. BRIEFLY the facts of the case are that the complainant has a house bearing No. C-1/47, in Gali No. 18, Khajoori Khas, Delhi. An electric connection has been provided to House No. C-1/46, but the connection was not given to the complainant in his house which is adjacent to House No. C-1/46. Consequently he filed a complaint. The District Forum directed the Delhi Electric Supply Undertaking to provide the domestic electric connection to him. The opposite party come up in appeal to this Commission. The learned Counsel for the appellant argued that electric connection was given to House No. C-1/46 when there was no house in existence contiguous to the house in question. The respondent is, therefore, not entitled to the electric connection.

We have duly considered the arguments but do not find any substance therein. The house of the complainant and House No. C-1/46 are contiguous houses and if electric connection has been given to C-1/46, there is no reason why electric connection should not be given to house of the complainant, which is also situated in the same street. The opposite party did not take any plea in the written statement under what conditions electric connection was given to the

owner of House No. C-1/46. Therefore, an appeal this fact cannot be taken into consideration. However, the reason given by the Department to us now for giving connection to the owner of House No. C-1/46 does not appeal to us. The Department could foreseen at the time of giving connection to the owner of House No. C-1/46 that the persons who would construct houses in that lane would apply for connection. Consequently we reject this contention.

3. BEFORE parting with the order it may be observed that no rule has been produced by the Department to show that the electric connection could be given by the Department to House No. C-1/46 for the reason as is given by them. The matter requires examination by the authorities. In case the connection was not given in accordance with rules to House No. C-1/46, action should be taken against the delinquent officials. Consequently, we dismiss the appeal with no order as to cost Appeal dismissed