

## Before the Electricity Ombudsman

(Appointed by the Joint Electricity Regulatory Commission  
for the State of Goa and UTs, under Section 42 (6) of the Electricity Act, 2003)  
Second Floor, HSIIDC Office Complex, Vanijya Nikunj, Udyog Vihar, Phase-V, Gurgaon (Haryana)  
Ph: 0124-2340954, Telefax: 0124-2342853, E-mail: [ombudsmanjerc@gmail.com](mailto:ombudsmanjerc@gmail.com)

**Appeal No. 26/2014**

**Representation/ Appeal Before the Electricity Ombudsman for JERC for the State of Goa and UTs against the order dated 03.04.2014 of CGRF, Puducherry by H. Mohamed Batcha, 42, Mela Raja Street, Neravy Commune, Karaikal, (Connection No. 1504/A2) regarding reconnection.**

H. Mohamed Batcha,  
42, Mela Raja Street,  
Neravy Commune, Karaikal

**Appellant**

V/s

1. The Superintending Engineer-I,  
Electricity Department,  
No. 137, NSC Bose Salai,  
Puducherry- 605 001
2. The Executive Engineer-V  
Electricity Department,  
Kariakal
3. The Assistant Engineer-Town I,  
Electricity Department  
Kariakal

On behalf of Licensee

**Respondent**

**Hearing on Friday 27<sup>th</sup> June, 2014**

**Present:** Mr. R. K. Kaul, Electricity Ombudsman for JERC for Goa and UTS.

**On behalf of the Appellant:**

1. None

**On behalf of the Respondent:**

1. Shri Rajesh Sanyal  
Executive Engineer-v,  
ED- Puducherry

*Handwritten signature*

(2)

2. Shri N. Jagannathan  
Assistant Engineer  
ED-Puducherry
3. Shri A. Devendiran  
Junior Engineer  
ED-Puducherry

Date 01.07.2014

**ORDER**

1. The appeal/ representation cited above received in the Office of Electricity Ombudsman for the State of Goa and UTs was admitted on 26.05.2014. A copy of the same as received was forwarded to the Respondent on the same day with the direction to submit their remarks/ counterstatement on each of the points relating to the matter of this representation supported by copies of relevant documents, latest by 10.06.2014 with a copy to the Appellant. The point wise reply of the Respondent has been received in the Office of Ombudsman on 10.06.2014.

**Brief Facts of the Case**

2. A service connection was effected on 28.01.2005 in the name of M. Mahabu Beevi of no. 3, Rajaveethi West, Neravy, Kariakal under Policy No. 1504/1247. The electricity charges stand paid till 30.04.2013.
3. M. Mahabu Beevi died on 26.05.2012. After her death, A.M. Kasim, on the basis of Patta, got the connection transferred in his name.
4. After the name transfer from M. Mahabu Beevi to A.M. Kasim, the latter requested for temporary disconnection as he wanted to reconstruct the hut. The service connection was temporarily disconnected on 02.12.2013.
5. Later-on the Electricity Department permanently disconnected the connection on their own. As per the Licensee, the energy meter was exposed to sun/rain. No one was occupying the hut.
6. In the meanwhile, M. Batcha, on the basis of death certificate of M. Beevi, applied for name transfer in his name. No other documents were supplied by him in support of ownership.
7. The complainant has only relied upon an interim injunction order dated 30.08.2006 passed in I.A. 96/2006 in O.S. 159/2006 and another order dated 05.09.2012 passed in I.A. 591/2012 in O.S. 28/2012. No order extending the period of Interim stay granted in the said I.As has been produced.

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8. A case in connection with the ownership is pending in the civil court.
9. The appellant approached CGRF for the solution of his grievances, when the licensee did not oblige him.
10. The CGRF vide its order dated 3<sup>rd</sup> April, 2014 dismissed the appeal with the direction to the licensee to dispose off the name transfer application.
11. Aggrieved with the decision of CGRF, the complainant approached the office of Ombudsman and his representation was admitted on 26.05.2014.
12. The representative of the office of Executive Engineer-v-z/c, electricity department, Kariakal informed personally the Appellant M. Batcha on dt. 26/6/2014 to attend the hearing at 10 AM on 27.06.2014 in Puducherry, but the Appellant still did not come up for hearing, even though he was informed by post also. (Copy of the letter of the electricity department is annexed 'A').

### **Pleading by the parties**

#### **The Respondent**

The respondent reiterated his replies submitted in written with reference to points raised by the Appellant.

A letter was issued to M. Batcha to furnish necessary documents and legal heir certificate of the deceased Mahabu Beevi within 15 days falling which the application is liable to be cancelled. The needful was not done by H. Mohamed Batcha.

#### **The Appellant**

No one appeared on his behalf.

### **ORDER**

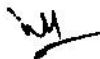
Based on the above, the representation/ appeal of the Appellant is disposed off with the following orders:

**The licensee, after satisfying himself, may release the service connection in the name of H. Batcha, when the latter produces the ownership papers complete in all respects.**

Dated 1<sup>st</sup> July, 2014



(R. K. Kaul)  
Electricity Ombudsman for JERC  
For the State of Goa and UTS



Ref. No. 1/36/2014-EO

Forwarded to:

1. H. Mohamed Batcha,  
42, Mela Raja Street,  
Neravy Commune, Karaikal
2. The Superintending Engineer-I,  
Electricity Department,  
No. 137, NSC Bose Salai,  
Puducherry- 605 001
3. The Executive Engineer-V  
Electricity Department,  
Kariakal
4. The Assistant Engineer-Town I,  
Electricity Department  
Kariakal

Copy to:

1. The Secretary, Joint Electricity Regulatory Commission for the State of Goa and UTs.
2. The Secretary (Power), Govt. Of Puducherry, Secretariat, Puducherry- 605 001
3. The Chairman, CGRF, Electricity Department, No. 4, 3<sup>rd</sup> Cross Street, Sathya Nagar,  
New Saram, Puducherry- 605 013.

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It is informed that as per appeal before the Electricity ombudsmen for JERC against the order dt 03.04.2014 of CGRF, Puducherry by H. Mohamed Batcha, Nizery, KKL, H. Mohamed Batcha was personally contacted on 26.6.2014. He was asked if he had received the letter asking him to appear before the ombudsman for the hearing to be held at Puducherry on 27.6.2014. He said that he had not received any letter to attend the hearing even though he had not received the letter.

Ruducherry  
27 - 6 - 2014

S. R. S  
E. E - V - Z/C  
Electricity Dept.  
Karaikal

N.B : His lawyer J. Senthil Raghavan was also contacted several times on 27-6-2014 in his mobile / Telephone, but he had not responded.

Seen  
WMA  
27/6/14