



BEFORE THE ELECTRICITY OMBUDSMAN, HARYANA
Haryana Electricity Regulatory Commission
Bays No. 33 - 36, Sector – 4, Panchkula-134109
Telephone No. 0172-2572299; Website: - herc.nic.in
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(Regd.Post)

Appeal No. : 35/2022
Registered on: 06.12.2022
Date of order : 15.12.2022

In the matter of: -

Appeal against the order dated 31.10.2022 passed by CGRF, UHBVN, Kurukshetra in complaint No.164/2022.

Sh. Surinder Kumar S/o Sh. Umed Singh, Village Bakhtawarpur, Distt. Sonipat

Complainant

Versus

UHBVNL

Respondents

Before:

Sh. Virendra Singh, Electricity Ombudsman

Present on behalf of Appellant:

Sh. Surinder Kumar

Present on behalf of Respondents:

Sh. Sh. Pankaj Dhawan, Executive Engineer 'Op' Sub Urban Division, Sonipat.

Sh. Praveen Kumar Singh, SDO 'Op', Sub Division, Bahalgarh.

Ms. Sarika Gupta, Advocate for respondents.

ORDER

A. Sh. Surinder Kumar S/o Sh. Umed Singh, Village Bakhtawarpur, Distt. Sonipat has filed an Appeal against the order dated 31.10.2022 passed by CGRF, UHBVN, Kurukshetra in complaint No.164/2022. The appellant submitted as under: -

निवेदन यह है कि मैंने सी.जी.आर.एफ. अधिकारी कुरुक्षेत्र से ट्यूबवैल कनेक्शन मीटर नम्बर- एस.26ए.पी.03-1059एम. व पुराना मीटर नम्बर- बी.डी.- 4/70 का Change of Name के बारे में ट्यूबवैल कनेक्शन व जमीन के अन्य मौजूद मालिक जो कि सुरेन्द्र कुमार पुत्र श्री उमेद सिंह से एन.ओ.सी. नहीं ली गई। इस बारे में मैंने शिकायत दाखिल करके आरोपियों के खिलाफ कार्यवाही का अनुरोध किया था। वसीयत के अनुसार मैं भी कनेक्शन मालिक हूं। उमेद सिंह पुत्र श्री आशाराम, नरेन्द्र सिंह पुत्र श्री उमेद सिंह व एस.डी.ओ. व अन्य बिजली अधिकारियों ने सी.जी.आर.एफ. यू.एच.बी.वी.एन. को मुद्दे से हटाकर किसी ओर पेपर को एन.ओ.सी. के रूप में दिखाकर कैस को रफा-दफा करने की कोशिश की गई है। जबकि मैंने उपरोक्त ट्यूबवैल कनेक्शन का आज तक कोई फैसला नहीं किया है और न ही किसी को एन.ओ.सी. दी है। फोरम ने इस फैसले वाले दिन मुझे हाजिर

रहने की कोई जानकारी नहीं दी गई। यह फैसला उमेद सिंह पुत्र श्री आशाराम, नरेन्द्र पुत्र श्री उमेद सिंह व बिजली अधिकारियों ने अपने बचाव में किया गया है।

B. SDO 'Op', Sub Division, Bahalgarh vide his email on 14.12.2022 has submitted reply which is as under: -

1. That a tube well connection bearing account No. AP03-1059-M or BD4-70 was taken in the name of Sh. Asha Ram son of Sh. Kure Ram. On the death of Sh. Asha Ram, this connection was transferred in the name of Sh. Umed Singh applied vide A&A no S26-418-133 dated 18.04.2018.

2. That Sh. Umed Singh has two sons i.e. Sh. Surender Kumar, the present appellant and second one is Sh. Narender Kumar.

3. That there was some property dispute between the above-mentioned Sh. Umed Singh and his sons Sh. Surender Kumar and Sh. Narender and the same was referred to the S.H.O. P.S. Murthal, District Sonipat, which was compromised in the presence of Sh. Umed Singh and S.H.O., besides Surender, Narender and some other relatives of this family on 19.01.2016.

4. That as per the above-mentioned compromise in para No.2, it is clearly agreed by the present appellant and other family members that the tubewell in question will remain in the name of Sh. Umed Singh and it clearly transpires that the present tubewell connection in dispute was legally and rightly transferred in the name of Sh. Umed Singh after the death of his father Asha Ram.

5. That subsequently, as per the norms and with the consent/NOC of Sh. Umed Singh, this tubewell connection was transferred in the name of his son Sh. Narender Kumar vide A&A no. S26-1019-49 dated 16.10.2019 and the same was disputed by his other son Surender Kumar, who filed a complaint before C.G.R.F. Kurukshetra, which was dismissed vide order dated 31.10.2022, after relying upon the affidavit submitted by Sh. Umed Singh son of Late Sh. Asha Ram (while transferring the tubewell connection in the name of Narender) and the compromise of the family of Umed Singh, which bears the signatures of Umed Singh, Narender and Surender his sons and one Roshni Devi mother of Narender and Surender and their relatives Ramesh son of Chattar Singh and Ms. Naresh wife of Ramesh, both residents of village Kailana, District Sonipat.

Keeping in view of the above mentioned facts and circumstances, it is crystal clear that the officials of the 'OP' Sub Division, Bahalgarh, Sonipat complied with all the formalities and transfer of tubewell connection in the name of Narender was carried out after completing all the requisite formalities laid down by the different circulars of the department and there is no illegality, as such, agitated/alleged by the

complainant/appellant and the instant appeal may kindly be dismissed with exemplary costs just to curb the frivolous litigations in future.

- C.** The appeal was registered on 06.12.2022 as an appeal No. 35/2022 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 15.12.2022.
- D.** Hearing was held on 15.12.2022, as scheduled. Both the parties were present during the hearing through video conferencing. At the outset, the appellant submitted that his consent was not taken when the tube well connection was transferred in the name of Sh. Narender Singh. On contra, counsel for the respondent submitted that initially, the connection was in the name of Sh. Asha Ram. After the death of Sh. Asha Ram, the connection was transferred in the name of Sh. Umed Singh. Sh. Umed Singh has two sons i.e. Sh. Surender Singh and Sh. Narender Singh. Due to the dispute in the family, a mutual agreement was signed by them at PS Murthal. Sh. Umed Singh, who is alive, submitted the NOC for transfer of said tube well connection in the name of his son Sh. Narender Singh and therefore, UHBVN has effected change of name in a right manner.
- E.** In view of the above discussions, Since the change of name is done by the Nigam after having requisite documents and the same is found in order. Therefore, the CGRF Kurukshetra order dated 31.10.2022 is upheld and the appeal is disposed of with no further direction to DISCOM.

Both the parties to bear their own costs. File may be consigned to record.

Given under my hand on 15th December, 2022.

Sd/-

(Virendra Singh)

Electricity Ombudsman, Haryana

Dated: - 15th December, 2022

CC-

Memo. No. HERC/EO/Appeal No.35/2022/

Dated: -

1. Sh. Surinder Kumar S/o Sh. Umed Singh, Village Bakhtawarpur, Distt. Sonipat
2. The Managing Director, UHBVN, Vidut Sadan, IP 3 & 4, Sector – 14, Panchkula.
3. The Chief Engineer “Op”, UHBVN, Vidut Sadan, IP 3 & 4, Sector – 14, Panchkula.
4. Legal Remembrancer, Haryana Power Utilities, Shakti Bhawan, Sector- 6, Panchkula – 134109.
5. The Superintending Engineer ‘Op’ Circle, UHBVN, Sonipat.
6. The Executive Engineer ‘Op’ Sub Urban Division, UHBVN, Sonipat.
7. The SDO ‘Op’, Sub Division, UHBVN, Bahalgarh.