

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Puneet Tandon, Advocate
S/o Shri Dhruv Narayan Tandon
Radhe Hari Niwas, Chidiyaghar Road
Tallital, Nainital Uttarakhand.

Vs

The Executive Engineer,
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.
Nainital, Uttarakhand.

Representation No. 08/2017

Order

The petitioner, Shri Puneet Tandon has file the petition no. 08/2017 against the order dated 22.02.2017 of Consumer Grievance Redressal Forum, Kumaon zone (hereinafter referred to as Forum) in complaint no. 212/2016. The case in brief is the petitioner aggrieved by the dismissal of his complaint when he had absented himself from hearing scheduled by the Forum, and Forum having turned down his request for review of their decision, this petition has been filed for overturning the order of the Forum. Petitioner has requested that a very old electricity pole standing in his residence which is not even energized may be removed since the pole is not of any use.

2. Opposite party UPCL in their written statement have contested this claim that the pole is in a dilapidated condition and have said that the pole is strong is used to provide service cable support for 5 connections and one 3 phase connection and in case the pole is removed, no support will be available to the service cables and these cables may cause obstruction on this road. Further, it has been maintained that at this point in the road the gradient is 20-25 degrees and ascending vehicles will get a very momentary chance to avert an accident. As such opposite parties have reported no valid ground for removing this pole.

3. Since the petitioner despite repeated opportunities was still not present, the case had proceeded in the Forum without his participation in the arguments and the Forum in their order dated 22.02.2017 have found no merit in the request of the petitioner.
4. No new facts have been adduced by the petitioner before the Ombudsman. No basis for interfering with the order of the Forum have been advanced. Before the date fixed for hearing petitioner requested for a short postponement and the hearing was fixed on 02.06.2017 at his request after postponing a previously fixed date. Despite this the petitioner, who is also an advocate, was not present and did not request permission for his absence. The case was therefore allowed to proceed ex parte. Based on the above analysis and the facts of the case there doesn't seem any basis for interfering with the order of the Forum which is upheld. Petition is dismissed.

Dated: 13.06.2017

(Vibha Puri Das)
Ombudsman