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
E-mail: eo.herc@nic.in

(Regd. Post)

Appeal No	**:**	**1/2025**
Registered on	**:**	**09.01.2025**
Date of Order	**:**	**07.03.2025**

In the matter of:
Appeal against the order dated 30.08.2024 passed by CGRF UHBVN Panchkula in complaint no UH CGRF 105 of 2024 – Shri Parveen Kumar of Beholi

Shri Randhir S/o Kanwar Bhan, VPO Garhi Bhallor, Panipat **Appellant**

Versus

1. The Executive Engineer (Operation), UHBVN, Samalkha
2. The SDO (Operation), Sub Division, UHBVN, Beholi **Respondent**

Before:
Shri Rakesh Kumar Khanna, Electricity Ombudsman

Present on behalf of Appellant:
Shri Randhir Singh, S/o Kanwar Bhan, VPO Garhi Bhallor, Panipat

Present on behalf of Respondents:
Shri Jatin Jangra, SDO (Operation), Sub Division, UHBVN, Beholi
And
Shri Parveen Kumar, Village- Jhattipur, PO-Machhrauli, Teh. Smalkha, Distt. Panipat

ORDER

A. Shri Randhir has filed an appeal against the order dated 30.08.2024 passed by CGRF, UHBVNL, Panchkula in complaint No. UH/CGRF- 105/2024. The appellant has requested the following relief: -

I Randhir Singh s/o Sh. Kanwar Bhan resident of VPO Garhi Bhallor, District Panipat, is a consumer of UHBVN through AP Tubewell Connection bearing account no. AP10- 1024-X under (OP) S/Divn UHBVN Biholi (Division Samalkha, Circle Panipat)

Recently, I get to know about illegal Change of Name (C.O.N.) of said AP Tubewell connection (A/c no. AP10-1024-X; old account no. T2-62) in favour of Smt. Nirmala Devi i.e. without my knowledge or Consent being Consumer. When I enquired, I get to know that Smt. Nirmala Devi has fraudulently got changed the name of Consumer w.r.t this AP connection bearing A/c no. AP10-1024-X of mine, in connivance with some official(s). I further get to know that this Change of Name (C.O.N) has been effected as per impunged Order passed by the Hon'ble CGRF Forum UHBVN Panchkula bearing memo no. Ch-27/UH/CGRF-105/2024 dated 30.08.2024 in Complaint no. 105/2024 dated 05.04.2024 filed by Sh. Parveen Kumar s/o Sh. Vijay Pal Singh. Said Sh. Parveen Kumar is Son of Smt. Nirmala Devi.

It seems that during proceeding before the Hon'ble CGRF in Complaint no. 105/2024, neither real facts put up by the Officials of (OP) S/Divn Biholi nor they defended the said Complaint Case properly. It appears that the Applicant has also mis-represented the facts before the forum. The Hon'ble CGRF Forum also erred in issuing Order without implicating me as party (despite being lawful Consumer of said AP tubewell connection AP10- 1024-X) and didn't afford any opportunity to me to present my version, documents available with me otherwise this inappropriate impunged Order should not have been issued

It is therefore respectfully prayed to kindly consider my aforesaid request and necessary instructions may kindly be imparted to the Hon'ble CGRF Forum UHBVN Panchkula to review the impunged Order dated 30.08.2024 issued in Complaint no. 105/2024, after hearing my version. I shall be highly obliged and this shall ensure natural law of justice as well please.

B. The appeal was registered on 09.01.2025 as an appeal No. 1/2025 and accordingly, notice of motion to the appellant and the respondents was issued for hearing the matter on 11.02.2025.

C. Shri Parveen Kumar in whose favour CGRF has issued an order dated 30.08.2024 submitted vide email dated 11.02.2025, which is reproduced as under:

आपसे विवम अनुरोध है कि मैं प्रवीन कुमार पुत्र श्री विजयपाल सिंह गाँव झट्टीपुर, तहसील-समारखा जिला पानीपत का स्थाई निवासी हूँ। शिकायतकर्ता श्री रणधीर सिंह के द्वारा ट्यूबवेल कनेक्शन के नाम करवाने बारे जो शिकायत आपके कार्यालय में दी गई है यह झूठी व बेबुनियाद है।

शिकायतकर्ता के द्वारा साजिश के तहत उक्त कनेक्शन को गलत किला नं० में दिखाकर विज्ञान को गुमराह करते हुए उक्त कनेक्शन को अपने नाम करवा लिया गया था। अब पुनः भी विभाग को गुमराह करना चाहता है। शिकायतकर्ता शातिर प्रवृति का व्यक्ति है। हिमकर्ता के द्वारा उक्त कनेक्शन की कार्यवाही को रोकने के लिए मेरे पिता जी पर भी नाजायज दबाव बनाने का प्रध्वस कई बार किया जा चुका है। इसके द्वारा मेरे पिता जी के विरुद्ध भी उक्त कनेक्शन की कार्यवाही को रोकने के लिए लगभग 18 माह पूर्व उसकी जमीन पर कब्जा करने की झूठी शिकायत दो बार पुलिस विभाग में दी जा सकी है व मेरे पिता जी पर अब यह दबाव बनाया जा रहा है कि या ती उक्त कनेक्शन की कार्यवाही को बंद कर दे अन्यथा आपके लड़के के विरुद्ध शिकायत करके उसे किसी झूठे मामले में फसा दूंगा, जोकि सरकारी कर्मचारी है अक्तु मुझे कानूनी प्रक्रिया पर पूर्ण विश्वास है कि मेरे साथ अन्याय नहीं होगा।

महोदय जी, मैं आपका ध्यान इस तरफ भी टिना चाहता हूँ कि शिकायतफ्लो के द्वारा माननीय CGRF के निर्णय के लगभग 4 माह का समय बीत जाने के पश्चात उपत सामले की अपील की गई है, जबकि माननीय CGRF के द्वारा अपने निर्णय में स्पष्ट रूप से लिखा गंगा कि निर्णय के 1 माह के अंदर-अंदर उक्त मामले की

अपील की जा सकती हैं। इसके द्वारा कानूनी कार्यवाही से बचने के लिए उक्त मामले की अपील आपके सम्मुख दायर की गई है।

महोदय जी, मेरा आपसे आग्रह है कि उक्त मामलो की सुनवाई जोकि आपके द्वारा आज दिनांक-11.02.2025 को 02:30 P.M पर की जानी तय की गई है। उप मामले की सुनवाई में मुझे भी शामिल किया जाये, ताकि मै सच आपके सामने प्रस्तुत कर सकूँ। इसके लिए में आकन आजीवन आभारी रहेंगा ।

D. Hearing was held on 11.02.2025, as scheduled. Both the parties were present during the hearing through video conferencing. At the outset, respondent SDO submitted that he joined the Sub Division yesterday and requested for 10 days time to file point wise reply. The respondent SDO is directed to submit point wise reply with an advance copy to the appellant. Acceding to the request of the respondent SDO, the matter was adjourned for hearing on 28.02.2025.

E. The respondent SDO vide email dated 27.02.2025 has submitted reply, which is reproduced as under:

उपरोक्त विषय के संदर्भ में आपको अवगत करवाया जाता है कि उक्त मामले की जाँच माननीय चेयरपर्सन, CGRF पंचकूला के द्वारा की गई, जिस उपरांत माननीय चैयरमैन, CGRF पंचकूला के पत्र क्रमांक-Ch-27/UH/CGRF-105/2024 दिनांक 30.08.2024 के अनुसार पाया गया कि शिकायतकर्ता श्री रणधीर सिंह के द्वारा उक्त कनेक्शन किला नं०-39/27 में स्थित दिखाकर अपने नाम करवाया गया था, किन्तु हल्का कानूनगो की मौका तसदीक रिपोर्ट के अनुसार उक्त कनेक्शन किला नं०-39/8/1/1 में स्थित पाया गया है, उक्त किला नं०-39/8/1/1 श्रीमती निर्मला देवी पत्नी श्री विजयपाल सिंह के नाम है। शिकायतकर्ता श्री रणधीर सिंह के द्वारा विभान को गुमराह करके उक्त कनेक्शन को अपने नाम करवाया गया था, जोकि अनुचित पाया गया था। जिसके उपरांत माननीय चैयरमैन, CGRF पंचकूला के फैसले को अम्ल में लाकर उक्त कनेक्शन की श्रीमती निर्मला देवी पत्नी श्री विजयपाल सिंह के नाम किया गया है। अतः शिकायत को दफ्तर दाखिल किया जाये।

F. Hearing was held on 04.03.2025, as re-scheduled. Both the parties were present during the hearing through video conferencing. During the hearing, respondent SDO requested for short adjournment and may be fixed for 07.03.2025. The appellant agrees with the same. Acceding to the request of the respondent SDO, the matter is adjourned and shall now be heard on 07.03.2025.

G. Hearing was held on today, as scheduled. Both the parties were present. At the outset, the appellant (Shri Randhir Singh) submitted that the case has been decided by the CGRF one sided i.e. without providing any opportunity of hearing to him. SDO respondent submitted that he has no objection if Shri Randhir Singh is heard in this case.

Decision

After hearing both the parties and going through record made available on file, it is observed that the Corporate Forum has decided the instant case without affording an opportunity of hearing to the appellant (Shri Randhir Singh). Therefore, the matter is remanded back to the Corporate Forum for relook and decide the prayer of both the parties namely Shri Randhir Singh and Shri Parveen Kumar on merit by applying relevant instructions of the Nigam / HERC Regulations.

The instant appeal is disposed of accordingly.

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

Given under my hand on 7th March, 2025.

Sd/-
(Rakesh Kumar Khanna)
Electricity Ombudsman,
Haryana

Dated: 07.03.2025

CC-

Memo. No.5403-10/HERC/EO/Appeal No. 1/2025 Dated: 10.03.2025

1. Shri Randhir S/o Kanwar Bhan, VPO Garhi Bhallor, Panipat
2. Shri Parveen Kumar, Village- Jhattipur, PO-Machhrauli, Teh. Smalkha, Distt. Panipat
3. The Managing Director, UHBVN, Vidyut Sadan, IP No.: 3&4, Sector-14, Panchkula.
4. Legal Remembrancer, Haryana Power Utilities, Shakti Bhawan, Sector- 6, Panchkula.
5. The Chief Engineer (Operation), UHBVN, Rohtak, Old Power House Colony, Circular Road, Rohtak.
6. The SE (Operations), UHBVN, Panipat, 132 KV Sub Station, Gohana, Road Panipat.
7. The Executive Engineer (Operations) UHBVN, Samalkha, Near Jangra Dharamshala, Officers Colony, Samalkha.
8. The SDO (Operations), Sub Division, UHBVN, Beholi, 132 KV Sub Station, G.T. Road, Samalkha.