**BEFORE THE HON’BLE NATIONAL/ STATE/ DISTRICT CONSUMER**

**DISPUTES REDRESSAL COMMISSION AT KOTTAYAM**

**IN RE: COMPLAINT No..................of 20.....**

**IN THE MATTER OF:**

Mathew O.S, S/o Zacharia,

Oliyakkattil House,

Ramapuram Kara,

Ramapuram Village

Meenachil Taluk ………. Complainant

Vs

Assistant Engineer,

Electrical Section, Ramapuram ……….Opposite Party

**COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT**

**RESPECTFULLY SHOWETH:**

1. The complainant is Mathew O.S, residing in Oliyakkattil House, Ramapuram Kara, Ramapuram Village Meenachil Taluk.
2. The opposite party is Assistant Engineer, Electrical Section and located in Ramapuram.
3. The complainant has been a consumer of electricity services provided by the opposite party since 1980, with consumer no. 2655 LTE. The complainant has been regularly paying electricity bills issued after inspections by the Sub Engineer of the opposite party.
4. The opposite party alleged a lack of electrical equipment (capacitor) in the complainant's saw mill without conducting a proper inspection or informing the complainant about the time of any such inspection.
5. The opposite party, in furtherance of such allegation, issued a notice demanding to pay Rs. 18, 930 without any prior notice or inspection.
6. The opposite party has shown deficiency in service by illegally issuing a bill without any basis and coming to an unsubstantiated conclusion about the defectiveness of the capacitor for the past three years.

**RECTIFICATION:**

1. The complainant filed a complaint with the Assistant Engineer of the Electrical Section, upon which installments were sanctioned for the payment.
2. Challenging the said order, the complainant filed an appeal before the Executive Engineer, Pala, on 23.04.2011. As there was no response, another complaint was filed before the Executive Engineer on 23-4-2012, which also yielded no result.
3. On 19.08.2013, the complainant filed a petition before the Deputy Chief Engineer, which also proved futile.
4. The complainant then filed a petition under the provisions of the Right to Information Act, and the complaint was disposed of on 02-08-2017, without addressing the grievance.

**CAUSE OF ACTION:** The cause of action arose on 19-03-2011 when the complainant was served with a bill without any justification.

**TERRITORIAL JURISDICTION:**  The complainant and the opposite party both reside within the jurisdiction of this Hon'ble Commission. Hence this Hon'ble Commission has jurisdiction to try and entertain this complaint.

**PECUNIARY JURISDICTION:** The total consideration amount paid in purchasing the hotel booking is less than Rs. 50 lakhs. Hence this hon'ble commission has jurisdiction to entertain this complaint.

**LIMITATION:** That the present complaint is being filed within the period prescribed under section 69 of the Act, 2019.

**COURT FEE:** Requisite Court fee as contemplated is paid on this Complaint.

**EVIDENCE:**

1. Copy of electricity bill dated 19-03-2011 (Ex. A1)
2. Copies of regular electricity bill payments (Ex. A2)
3. Copy of complaint to Assistant Engineer (Ex. A3)
4. Copy of appeal to Executive Engineer dated 23.04.2011 (Ex. A4)
5. Copy of second complaint to Executive Engineer dated 23-4-2012 (Ex. A5)
6. Copy of petition to Deputy Chief Engineer dated 19.08.2013 (Ex. A6)
7. Copy of RTI application and its disposal dated 02-08-2017 (Ex. A7).

**PRAYER:**

In light of the facts mentioned above, it is most respectfully prayed that this Hon'ble Commission may be pleased to:

i) Direct the opposite party to pay Rs. 18,930/- in various heads.

ii) Pass such other orders as deemed fit in the interests of justice.

**VERIFICATION:**

I, Mathew O.S, resident of Oliyakkattil House, Ramapuram Kara, Ramapuram Village Meenachil Taluk, hereby declare that I have not misrepresented any facts nor have tried to hide any information in my above complaint. All the facts mentioned herein are true to the best of my knowledge.

**Name & signature of the complainant**