

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-9
No. CGRF/Complaint No. 1414/3/21/012 **Dated:-**

Complaint No.: - 1414/3/21/012
Date of Admission: - 16.08.2021
Quorum: - Dr. M.G. Sharma, Chairman.
Er. Vikas Gupta, Member.
Sh. K.S Dhaulta, Member.

M/s Rakesh Ahuja S/o Madan Lal
Village Kotla Paughat Tehsil Kandaghat
Distt. Solan HP

Complainant

V/s.

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Sr. Executive Engineer,
Electrical Division, HPSEBL,
Distt. Solan (HP).
3. The Assistant Executive Engineer,
Electrical Sub-Division HPSEBL,
Kandaghat, Distt. Solan (HP).

Respondents

Final hearing:-

23.09.2021

Present for:-

Complainant

1. None.

Respondent

1. Sh. Anil Kumar God, Advocate

Date of Decision: -

23.09.21

ORDER

1. Case called. None appeared for the complainant today despite knowledge. The case was listed for hearing on 22.09.2021. The Ld. Counsel appearing for the complainant on 22.09.2021 had made a request to adjourn the matter for hearing today i.e. on 23.09.2021. The request was allowed by the Forum. The complainant or his counsel failed to appear today. There is no intimation of their absence nor any leave of the court has been sought for today.
2. The Respondent Board pressed for the disposal of the complaint in view of the civil suit pending between the parties before the Ld. Civil Judge Kandaghat, District Solan. The complaint is taken up for disposal ex-party qua for the complainant today.
3. The perusal of the order of the Ld. Civil Judge, Kandaghat dated 30.06.2021, clearly establish that the matter between the parties is sub-judice before civil Court. The order whereby the Ld. Court deems it appropriate to direct the parties to maintain status-quo qua the suit property is to be abide by the parties concerned. The Ld. Court has also directed to maintain status-quo qua dispossession of applicant from the suit property i.e. property known as M/s Parkwood Village Resort situated at village Paughat, Near Shoghi, Tehsil Kandaghat, District Solan (HP) by locking up the property, selling or leasing out the property to any other persons, till final disposal of main suit.
4. In view of the above directions of the Ld. Court to maintain status-quo by the parties qua the suit property, the present complaint preferred before this Forum cannot be admitted for hearing, as the civil suit is pending adjudication before the Ld. Civil Judge, Kandaghat between the parties. Further the rule 19 of the CGRF and Ombudsman Regulation, 2013 also provide limitation/precondition for submission of grievances before it. The rule 19(a) provides that the Forum

may reject grievance at any stage, in cases where proceedings are pending before any court, tribunal, arbitrator, or any other authority, or a decree or award or final order has already been passed by any such Court, tribunal, arbitrator, or authority.

5. In view of the observations made herein above, the present complaint is rejected in terms of Rule 19(a) of CGRF and Ombudsman Regulation, 2013, as the civil suit between the parties is still pending before the Court of Ld. Civil Judge Kandaghat, Distt. Solan, wherein order dated. 30.06.2021 has been passed to maintain status quo qua the suit property. In the aforesaid terms the complaint stands disposed off accordingly.

Parties are left to bear to their own cost. Announced before the parties present at Shimla on 23.09.2021.

The file is consigned to the record along with original copy of the order. The certified copy of order be kept in safe custody in the folder of order. Certified copies of this order be supplied to all parties.

Place: - Shimla

Dated: -23.09.21

Sd/-
(K.S.Dhaulta)
(Member)

Sd/-
(Vikas Gupta)
(Memsber)

Sd/-
(M.G. Sharma)
(Chairman)

Notice

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI SHIMLA-171009.

No.CGRF/Complaint No. 1414/3/21/012 **Registered**
Dated:-

M/s Rakesh Ahuja S/o Madan Lal
Village Kotla Paughat Tehsil Kandaghat
Distt. Solan HP

Complainant

V/s.

HPSEBL & Others.

Respondents

Complaint No. 1414/3/21/012

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Sr. Executive Engineer,
Electrical Division, HPSEBL,
Distt. Solan (HP).
3. The Assistant Executive Engineer,
Electrical Sub-Division HPSEBL,
Kandaghat, Distt. Solan (HP).

Respondents

The Certified copy of final order dated 23.09.2021 passed by the Hon'ble Forum in the aforesaid complaint is enclosed find herewith for further necessary action at your end please. The compliance be reported/intimated within one month after the receipt of order in the office.

DA:-As above.

Secretary,
Consumers Grievances Redressal Forum,
HPSEBL, Kasumpti Shimla-9.