

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Ashish Giri
S/o late Shri Niwas Giri
R/o 462, Adarsh Nagar (Old No. 216)
Roorkee, Distt. Haridwar
Uttarakhand

Vs

1. The Executive Engineer,
Electricity Distribution Division (Urban)
Uttarakhand Power Corporation Ltd.
Roorkee, Haridwar, Uttarakhand
2. Smt. Meenakshi Goswami,
W/o late Shri Indubhushan Goswami
R/o 216 Adarsh Nagar, Roorkee
Distt. Haridwar, Uttarakhand

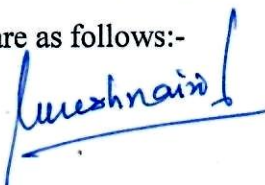
Representation No. 27/2026

Award

Dated: 22.07.2026

Present appeal/ representation has been preferred by the appellant Shri Ashish Giri, S/o late Shri Niwas Giri, R/o 462 Adarsh Nagar, (Old No. 216), Roorkee, Distt. Haridwar, Uttarakhand (petitioner) against the order of Consumer Grievance Redressal Forum, Haridwar Zone, (hereinafter referred to as Forum) dated 05.05.2026 in complaint no. 55/2026 by which Ld. Forum has allowed the complaint of the complainant Smt. Meenakshi Goswami, W/o late Shri Indubhushan Goswami, R/o 216 Adarsh Nagar, Roorkee Haridwar (hereinafter referred to as respondent no. 2- R-2), against UPCL through Executive Engineer, Electricity Distribution Division (Urban), Uttarakhand Power Corporation Ltd., Roorkee, Distt. Haridwar, Uttarakhand (R-1) and Shri Ashish Giri.

2. The instant appeal dated 12.05.2026 has been preferred by the appellant Shri Ashish Giri, S/o late Shri Niwas Giri, being aggrieved with Forum order dated 05.05.2026 in complaint no. 55/2026 of Smt. Meenakshi Goswami vs Executive Engineer, EDD Urban Roorkee (R-1) and Smt. Meenakshi Goswami, W/o late Shri Indubhushan Goswami (R-2). Contents of appeal are as follows:-



Grounds of appeal

- i. No case in this subject matter of this appeal is pending before any other Court or Forum.
- ii. Point no. 2, 3 and 4- Under these points, the petitioner has given shortcomings in Forum order, according to him the forum order is against consumer's interest and against facts of the case as also void of law. It is an ex-parte order and is perverse as the Forum failed to protect his interest, overlooked his case and evidences as placed before the Forum and has passed order in favor of the complainant there Smt. Meenakshi Goswami (R-2 here) who with malafide intentions and blackmailing him and his mother, has managed the Forum order passed ex-parte with her ultimate goal for getting the existing connection disconnected and get a new connection in the premises in her name. in view of aforesaid the Forum order dated 05.05.2026 passed in complaint no. 55/2026 is liable to be set aside.

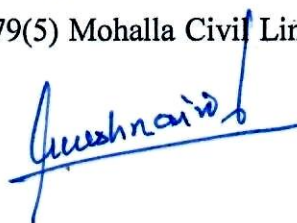
Facts of the case and allegations on R-2

- iii. The petitioner under point no. 5 to 15 of his petition as put the facts of the case and allegations against respondent no. 2 Smt. Meenakshi Goswami.
- iv. Under these points as regards facts of the case, the petitioner has averred that the averments of Smt. Meenakshi Goswami regarding ownership and tenantry of shop no. 79(5) Saint compound trust association (LDTA) is the property of the said trust and it has been rented out to her, is wrong and baseless and connection in the said property is in the name of her father-in-law which has fraudulently got mutated in his name by Shri Ashish Giri is wrong, false and baseless. Fact is this that the said property belongs to LDTA being its owner and it is entered as such in the records of Nagar Nigam Roorkee. ADTA has no concerned with the said property. Further fact is this that the said shop at Mohalla Civil Line Roorkee is in his name since long and connection no. 6860157113479 has been got transferred in his name by UPCL after completing necessary formalities with NOC of his mother Smt. Sudha Giri who is the legal heir/ owner after the death of his father. UPCL has raised no objection in this matter. Bills against the said connection are being regularly paid and no bill pending for payment. In the course of transfer of this

[Signature]

connection in his name no irregularity or unlawful action was taken either by UPCL or the appellant. Therefore Forum's order dated 05.05.2026 is liable to be set aside.

- v. Smt Meenashi Goswami's averment that the said shop no. 79(5) is entered in her name in records in Nagar Nigam Roorkee and house tax for the same is also being paid by her, are false statements and therefore her request for getting the said connection disconnected is fraudulently devised and is based on false grounds and it has no fact. The fact is this that the said property is not a residential one but it is a shop of M/s Bharat Hardware Store and in the records of Nagar Nigam Roorkee, it is entered as the property of his mother Smt. Sudha Giri since beginning. (A copy of assessment of house tax has been adduced). Smt. Meenakshi Goswami's claim that she is conducting business in the said property or residing there and it is entered in her name in Nagar Nigam's records is nothing but his malafide intention for getting occupation on the said shop.
- vi. Smt. Meenakshi Goswami has been trying for getting the said connection permanently disconnected. This is her effort only to harass his mother. She had tried to get the said connection permanently disconnected, his mother filed objection before UPCL authorities against her application on 27.09.2025 which was duly received in the office of Executive Engineer, EDD Roorkee (Urban) on 29.09.2025 which is also in the notice of Smt. Meenakshi Goswami. Meenakshi Goswami has also filed a case against his mother in the court of Additional Family Judge, Roorkee (case no. 391 of 2024-22 Hindu Dattak Tatha Bharan Poshan Adhinyam, 1956 Police Station Kotwali Roorkee). The case is still pending before the Court as such Smt. Meenakshi Goswami has no occupation on the said shop and in view of pending court case she had no right to file any appeal before the Forum. The Forum has erred in accepting her complaint and Forum's action is void of law. Her rent agreement is not a valid document. Her application filed for change of tenantry before Nagar Nigam is within the jurisdiction of Nagar Nigam Roorkee whether to except or reject her application so her statement that her name has been entered in Nagar Nigam's records regarding tenantry of the shop is baseless. The shop no. 79(5) Mohalla Civil Line Roorkee, a hardware

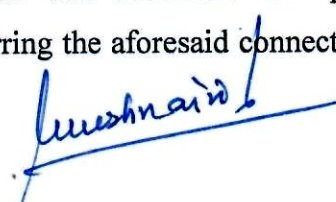


shop is entered in the records of Nagar Nigam for about last 21 years in the name of Smt. Sudha Giri and her late husband (the appellant's father).

- vii. The other points relate petitioner's allegations on the behavior of Smt. Meenakshi Goswami.
- viii. In view of his averments regarding facts of the case, he has mentioned that connection no. 680157113479 should continue to exist in his name without any disconnection.

Prayer

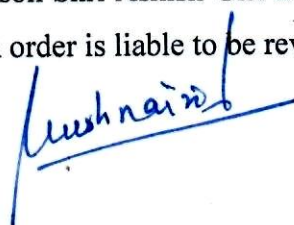
- a. The instant appeal be admitted, Forum order dated 05.05.2026 be set aside. The appeal be decided judiciously and the said connection which was transferred in his name by UPCL after completion of necessary formalities and there has been no default in making payment should be allowed to continue in his name.
 - b. A compensation of Rs. 1 lakh on account of mental torture and financial loss caused to him and Rs. 10,000/- on account of cost of appeal be sanctioned to him and be ordered to be paid by the respondent.
 - c. Any other relief deemed fit by Hon'ble Ombudsman may also be granted.
3. After perusal of records and hearing arguments, the Forum decided the complaint vide its order dated 05.05.2026 which is reproduced below:-
- "परिवादी का परिवाद स्वीकार किया जाता है। विपक्षी विभाग को आदेशित किया जाता है कि विद्युत कनेक्शन सं०-6860157113479 को स्थाई रूप से विच्छेदित करें। विद्युत विभाग आदेश की अनुपालन आख्या आदेश तिथि से 30 दिन के भीतर मंच के समक्ष प्रस्तुत करे।"
4. The respondent, Executive Engineer (R-1) has submitted his written statement vide letter no. 1339 dated 10.06.2026 along with a notarized affidavit. Point wise replies are as follows :-
- i. Connection no. 6860157113479 was released in the name of Shri Niwas Giri on 22.06.2005.
 - ii. Shri Ashish Giri, S/o Shri Niwas Giri submitted an application dated 05.04.2022 in his office for transferring the aforesaid connection in his name.



NOC from his mother Smt. Sudha Giri was also submitted along with his application whereafter the aforesaid connection was transferred in the name of Shri Ashish Giri and since then the connection is running in the name of Shri Ashish Giri and he is duly paying all the bills.

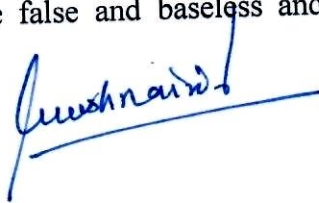
- iii. On 08.09.2025 Smt. Meenkashi W/o late Indubushan Goswami, House No. 216 Adarsh Nagar Roorkee applied for permanent disconnection of connection no. 6860157113479 which is existing in the name of Shri Ashish Giri.
- iv. After receiving application of permanent disconnection from Smt. Meenakshi, w/o late Shri Indubhshan Goswami, Shri Ashish Giri was requested vide letter no. 3203 dated 15.09.2025 to give his objection or no objection in the matter. Shri Ashish Giri submitted his objection vide letter dated 18.09.2025 for not disconnecting the aforesaid connection. Further Smt. Sudha Giri, W/o late Shri Niwas Giri submitted a letter dated 27.09.2025 in the office for not disconnecting the aforesaid connection no. 6860157113479.
- v. Smt. Meenakshi Goswami also asked for information under Right to Information. The desired information were made available to her vide his office letter no. 5566 dated 17.01.2026, letter no. 6308 dated 20.02.2026 and no. 6309 dated 20.02.2026.
- vi. Smt. Meenakshi Goswami also preferred complaint no. 55/2026 before CGRF Haridwar. The Hon'ble Forum was apprised to the facts of the case vide his letter no. 6376 dated 23.02.2026.
- vii. The Forum passed the following order dated 05.05.2026 in the case "परिवादी का परिवाद स्वीकार किया जाता है। विपक्षी विभाग को आदेशित किया जाता है कि विद्युत कनेक्शन सं०-6860157113479 को स्थाई रूप से विच्छेदित करें। विद्युत विभाग आदेश की अनुपालन आख्या आदेश तिथि से 30 दिन के भीतर मंच के समक्ष प्रस्तुत करें।"
- viii. Shri Ashish Giri has preferred instant appeal no. 27/2026 against Forum order before your goodself. A temporary injunction has duly been passed in the case on 13.05.2026.

As the aforesaid connection is old enough and wife of the connection holder late Shri Niwas Giri, Smt. Sudha Giri also desired that the connection be transferred in the name of her son Shri Ashish Giri in view of such case he is also of the view that the Forum order is liable to be reviewed.



The respondent has substantiated his averments by relevant documents as referred under various points and have been enclosed with the written statement.

5. Written statement dated 20.05.2026 of Smt. Meenakshi Goswami (R-2). The appeal preferred by Shri Ashish Giri vs Executive Engineer, EDD Urban Roorkee, Haridwar before the Hon'ble Ombudsman is completely false. A complaint no. 55/2026 was preferred by her. The shop where a connection exists is in her name. The business was being conducted by her husband late Indubhushan Goswami. Shri Ashish Giri and his mother Sudha Giri, no rent has yet been paid by them to MDDA neither they have any papers of tenantry of the shop but they are claiming the shop belonging to them. Electricity bill has been got transferred by Shri Ashish Giri in his name fraudulently. She had submitted application before the Electricity Department and other departments but no action has been taken by any department till date. Being harassed she approached CGRF Haridwar whereafter examination order was passed in her favour. Smt. Meenakshi Goswami (R-2) has again submitted her written statement dated 24.06.2026 along with an affidavit. It is the same written statement dated 20.05.2026 as mentioned above except an affidavit dated 24.06.2026 has been adduced.
6. The petitioner has submitted his rejoinder dated 23.06.2026 along with a notarized affidavit. Pointwise replies have been submitted as follows:
 - i. The written statement submitted by R-2 is wrong and false as well as baseless and is not liable to be accepted.
 - ii. Written statement of R-2 is against facts of the case, void of law and is full of malafide intention and is liable to be set aside.
 - iii. Respondent no. 2's averment that his application / appeal is false completely, is not acceptable.
 - iv. Respondent no. 2's averment that the shop is in the name of Meenakshi Goswami and business in the shop conducted by her husband Shri Indubhushan Goswami and no rent has yet been paid by him and her mother to MDDA for the shop and he has got the connection transferred in his name fraudulently. All these averments are false and baseless and therefore not acceptable.



- v. Respondent no. 2's averment that she has submitted application before Electricity Department and other departments in the matter on which no action has yet been taken by the departments and being harassed she preferred complaint before CGRF in which Forum have passed order after examination in her favour. All these averments are not acceptable as mentioned.
- vi. It is a fact that the instant appeal has been preferred by him before Hon'ble Ombudsman being aggrieved with Forum order dated 05.05.2026.
- vii. Shop no. 79 (5) Mohalla Civil Line Roorkee is a shop of hardware and it is duly registered in the record of Nagar Nigam Roorkee for quite a long time (about 15-16 years) in the name of Smt. Sudha Giri and her late husband (father of the appellant). Smt. Meenakshi Goswami or husband has no concern with the said shop.
- viii. Smt. Meenakshi Goswami has managed to get a tenantry letter dated 28.04.2025 got from some Agra Dio-sision Trust Association (ADTA). Smt. Meenakshi cannot get any benefit from this letter of tenantry. She can also not get the shop registered in her name on the basis of the said document as also depositing Rs. 2000/- fee with Nagar Nigam Roorkee. This does not qualify her to get the shop transferred in her name neither her name has been entered in the records of Nagar Nigam Roorkee as yet.
- ix. The Agra Dio-sision Trust Association (ADTA) has submitted letter no. RRK/2026-27/11 dated 18.05.2026 to Nagar Nigam Roorkee, contents of which are reproduced as follows:-

"In this regard, it is submitted that a serious dispute is pending between Mrs. Meenakshi Goswami and her mother-in-law concerning the said property. The matter is disputed and the rights over the property have not attained finality and therefore no mutation or change of name should be carried out in the municipal assessment records without proper consent of the lawful owner/trustee.

In view of the above facts, you are requested to kindly refrain from mutation or transferring the name of Mrs. Meenakshi Goswami in the assessment records to shop no. 79(5) Civil Lines, Roorkee until the family dispute is finally resolved by the competent authority.



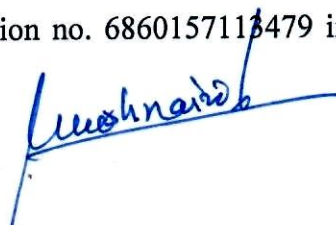
Any mutation during the pendency of the dispute may prejudice the rights of the concerned parties and may lead to further litigation."

In view of the aforesaid Meenakshi Goswami's averment/ claim that she is the owner of the shop is completely wrong and false.

As regards that late Indubhushan Goswami (expired on 01.07.2020) was conducting business at shop no. 79 (5) Civil Lines, Roorkee, he has submitted that the shop is registered under GST at principal place of business-216 new Adarsh Nagar new Hanuman Mandir Roorkee-247667. Indubhushan Goswami has been conducting business at his home address. The business was closed after his death. GST return file was being submitted till March 2021 only and the said registration under GST was cancelled itself on 06.05.2022 for having conducted no business. Smt. Meenakshi Goswami is not liable to get any benefit on this account also.

Under the circumstances averment of Smt. Meenakshi Goswami that the shop under reference is in her name is completely wrong and false. As regards that business was being conducted by late Indubhushan Goswami (expired on 01.07.2020) the shop is not concerned with shop no. 79 (5) Civil Line Roorkee but as per the GST registration "the principal place of business 216 New Adarsh Nagar, near Hanuman Mandir Roorkee-247667 as mentioned in GST registration. The aforesaid person was conducting business from his home address and the business was closed after his death. GST return was filed upto March 2021 and thereafter the GST registration was cancelled on 06.05.2022 as there was no business. Therefore Smt. Meenakshi Goswami is not entitled to claim any ownership on shop no. 79 (5) Civil Line, Roorkee.

- x. The aforesaid shop no. 79(5) Civil Line Roorkee is sanctioned in the name of his mother Smt. Sudha Giri and his father late Shri Niwas Giri in the records of Nagar Nigam Roorkee where his mother is conducting business with her son Ashish Giri. There is a dispute over the tenantship and ownership of the shop. Her intention is to harass her mother in law Smt. Sudha Giri with the intention to grab the property over which she has no right.
- xi. The written statement filed by respondent no. 2 is denied in the interest of justice on the basis of NOC from Smt. Sudha Giri the UPCL after completion of formalities transferred connection no. 6860157113479 in his name i.e. in

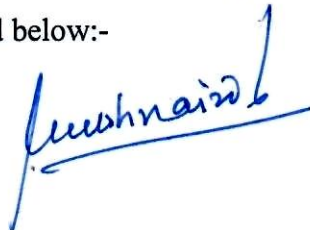


the name of the appellant. Bills against the said connection were regularly been paid by him. He has never been a defaulter. In view of these facts, it is prayed that the aforesaid connection may be allowed to continue in the name of the petitioner.

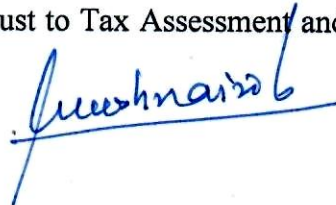
It is prayed that in the interest of justice WS of respondent no. 2 be disallowed and connection under reference which was transferred in her name legally and after completion of formalities and bills of which are being paid by him regularly the connection may kindly be allowed to continue in his name. The petitioner has adduced a notarized affidavit dated 23.06.2026 along with his rejoinder. In the affidavit the petitioner has reiterated that contents of his appeal were true and correct as per his personal knowledge and no fact has been hidden.

7. However no rejoinder against written statement of respondent no. 1 has been submitted by the petitioner.
8. The respondent no. 2 Smt. Meenakshi Goswami has also submitted a copy of Nagar Nigam Roorkee's letter no. 3914 dated 12.01.2026 addressed to her vide which reply of RTI dated 06.12.2025 has been given by Lok Suchna Adhikari Nagar Nigam Roorkee, relevant portion of which is reproduced below:-

1. वांछित सूचना के अन्तर्गत अवगत कराना है कि नगर निगम अभिलेखों में स्कज/ ब्रांच रुड़की सी0ओ0 श्री निवास गिरि पुत्र श्री धनराज गिरि एवं सुधा गिरि पत्नि श्री निवास गिरि का नाम वर्ष (2009-2014) के आधार पर दर्ज है। आप द्वारा जिन दो रसीदों का वर्णन अपने अनुरोध पत्र में किया गया है उनके नामांतरण प्रक्रिया शुल्क की बिल संख्या-80/416 रू0-2000/- दिनांक 08.08.2025 को जारी किया गया है जिसके सापेक्ष रसीद संख्या-44/1806 नाम परिवर्तन शुल्क रू0 - 2000 दिनांक 08.08.2025 को जारी किया गया है।
2. वांछित सूचना के अन्तर्गत अवगत कराना है कि नाम परिवर्तन प्रक्रिया गतिमान है नोटिस पत्रांक 639 दिनांक 22.08.2025 डाक रसीद संख्या- 03.09.2025।
3. वांछित सूचना छायाप्रति संलग्न है।
9. A letter dated 18.05.2026 issued by Honorary Secretary Agra DIOCESAN Trust Association to Tax Assessment and Revenue Officer Nagar Nigam Roorkee. The relevant contents of which are reproduced below:-



9. A letter dated 18.05.2026 issued by Honorary Secretary Agra DIOCESAN Trust Association to Tax Assessment and Revenue Officer Nagar Nigam Roorkee. The relevant contents of which are reproduced below:-
- "In this regard, it is submitted that a serious dispute is pending between Mrs. Meenakshi Goswami and her mother in law concerning the said property. The matter is disputed and the rights over the property have not attained finality and therefore no mutation or change of name should be carried out in the municipal assessment records without proper consent of the lawful owner/trustee."*
10. A copy of electricity bill of connection no. 6860157113479 existing in the premises for the period 13.07.2025 to 07.08.2025 for the month of 08/2025 has been issued in the name of the appellant Shri Ashish Giri.
11. Interim stay was granted on 13.05.2026 which was subsequently extended till disposal of the case.
12. 08.07.2026 was fixed for hearing in the case while petitioner and respondent no. 2 were present and argued their respective case, respondent no. 1 has requested vide letter no. 10 dated 07.07.2026 that the case be decided in view of the affidavit and written statement submitted by him. The arguments were concluded, order reserved.
13. After perusal of records available on file and hearing arguments from both parties, it is borne out that connection no. 6860157113479 was released on 22.06.2005 in the name of Shri Niwas Giri (expired on 10.09.2016) father of the petitioner Shri Ashish Giri, the said connection was transferred in the name of the petitioner Shri Ashish Giri on an NOC from his mother Smt. Sudha Giri after expiry of his father. After completion of formalities, the connection was transferred by UPCL in the name of the petitioner Shri Ashish Giri and since then the connection is in the name of the petitioner bills against the said connection are regularly been paid by the petitioner as claimed by him as is also evident from the bill for the period 13.07.2025 to 07.08.2025 which is available on file, it therefore suggests that the said connection is existing in the premises which is under dispute still in the name of the petitioner who is a bonafide consumer of UPCL against the said connection and is also occupier of the premises no matter the premises is under dispute between his mother and Mrs. Meenakshi Goswami the respondent no. 2 from the documents dated 12.01.2026 reply by Nagar Nigam Roorkee under RTI as also letter dated 18.05.2026 issued by Honorary Secretary Agra DIOCESAN Trust to Tax Assessment and Revenue Officer



Roorkee, these documents suggests that the property is under dispute and rights of the property have not attained finality.

14. Rending dispute over the property, the petitioner Shri Ashish Giri happens to be an occupier of the shop where the connection under dispute exists and this connection has been transferred in his name by UPCL on NOC from his mother. He is a bonafide and lawful consumer of UPCL for the said connection. The connection therefore cannot be disconnected either temporarily or permanently on the request of any third person whosoever even the respondent no. 2 Meenakshi Goswami. The petition is therefore liable to be allowed and Forum order dated 05.05.2026 allowing the complaint of Smt. Meenakshi Goswami and directing the respondents for permanent disconnection of connection no. 6860157113479 is liable to be set aside.

Order

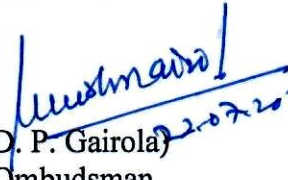
The Petition is allowed. Forum order is set aside. Respondent no. 1 is directed that connection no. 6860157113479 which was transferred in the name of the petitioner after completion of the formalities and NOC from Smt. Sudha Giri mother and thus who happens to be a bonafide consumer of UPCL for the said connection may not be disconnected on the request of R-2 and/or any third party unless any default in payment of electricity bills or any violation of relevant UERC Supply Code Regulation 2020 and/or relevant Section of Electricity Act, 2003 by the petitioner requiring disconnection. The temporary injunction granted on 13.05.2026 and subsequently extended till disposal of the case stands merged in this order.

Dated: 22.07.2026

Order signed dated and pronounced today.

Dated: 22.07.2026


(D. P. Gairola)
Ombudsman


(D. P. Gairola)
Ombudsman