GOVERNMENT OF JAMMU & KASHMIR
DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION
KUPWARA

Coram: -

1. Peerzada Qousar Hussain ..... President

2.Ms Nyla Yaseen ..... Member

Consumer Complainant No: 214/2025

Ghulam Nabi Magray S/o Habibulllah Magray R/o Keegam, Tehsil Drugmulla, Kupwara.

..... (Complainant)

Versus

1. Executive Engineer KPDCL, Division Handwara, Kupwara

..... (Opposite Party)

Date of Institution: 29/05/2025
Date of Decision: 12/11/2026

Appearing Counsel:
For the complainant: Adv. Tanveer Tahir and Associates.
For the OP's: Adv. Zubair Ahmad Wani.

Judgement

The instant complaint has been filed before this Commission on **29-05-2025** alleging therein deliberate and willful negligence on the part of the Opposite Party (OP), with prayer to grant the following reliefs:

1. Direction to the OP to pay an amount of Rs. 3,00,000/- as compensation for generating wrong electric bills along with interest @ 10% and for the balancing/rectification of the bills.
2. Direction to the OP to pay an amount of Rs. 1,00,000/- as compensation for causing mental agony.
3. Direction to the OP to pay an amount of Rs. 50,000/- as litigation charges.

Brief Facts of the Case

The Complainant's contention is that he was residing in a joint house with his brothers, and the bill has been issued. The complainant further contents that he constructed a separate house and is presently residing there. Although, he remains outside for more than six months in a year. The Complainant was head of the joint family, as such, the original electricity bill of the joint family house was being issued in his name under Consumer ID No. **0214010006915**.

The Complainant further contends that while there were certain outstanding electric fee dues against the joint family house, upon the construction of his new separate house, the Opposite Party (OP) arbitrarily carried forward the remaining outstanding bill amount of the joint family house to his newly constructed house, instead of issuing a fresh independent bill which the OP was legally bound to do.

Pertinently, the OP is generating bills against the newly constructed house despite the absolute absence of basic infrastructure, specifically noting that there are neither electric poles nor LT distribution lines installed near the premises. The bill has accumulated to an exorbitant amount of Rs. **2,10,934/-** till ending March, 2025.

The Complainant repeatedly approached the OP with the request to cure the defects and consider the facts that he has constructed a new house. However, no heed was paid to his persistent requests, which ultimately constrained the Complainant to approach the District Consumer Disputes Redressal Commission, Kupwara, for the redressal of his grievances.

Upon service of the notice, the Opposite Party (OP) appeared through its counsel, Adv. Zubair Ahmad Wani. However, the OP failed to submit their **Written Version** within the mandatory stipulated period of time. Consequently, the right of the OP to file a written version was formally closed by this Commission.

The Complainant adduced four witnesses in the matter namely:
(1) Farooq Ahmad Magray S/o Ghulam Ahmad Magray R/o Keegam Tehsil Drugmulla.
(2) Sajad Ahmad Magray S/o Mohammad Sultan Magray R/O Keegam Tehsil Drugmulla,
(3) Mohammad Ashraf Magray S/o Mohammad Sultan Magray R/O Keegam Tehsil Drugmulla, and
(4) Gh. Nabi Magray S/o Habibulllah Magray R/o Keegam, Tehsil Dragmulla, Kupwara (the Complainant as witness in his own case).
The witnesses on affidavits stated that they are neighbors of the Complainant and he is neither utilizing the electricity nor the OP department has installed the polls and LT wire near the residential house of the complainant. They further stated that the OP has been issuing highly

inflated and arbitrary bills to the Complainant, which has caused extreme mental agony to the complainant.

The Complainant, Gh. Nabi Magray, as witness in his own case on cross examination stated that he used to live in a joint family alongwith his three brothers and separated from the joint family in the year 1987. He shifted outside Kashmir. He has a ration card of only one family member of his own family. He further stated that upon returning from outside, he resided temporarily with his sister, who also resides at Keegam. Upon receiving bill from OP's department, he approached the **Deputy Commissioner Kupwara** in the year 2018. The Deputy Commissioner forwarded his written representation to the Executive Engineer (XEN) concerned. Consequently, a departmental team inspected the spot and subsequently disconnected the connection. The Complainant further stated that he does not know as to how much was the outstanding bill in that year

Heard the learned counsel appearing on behalf of the parties and perused the documents placed on record, alongwith the written arguments advanced by the complainant's counsel.

We are of the considered opinion that the Complainant, after construction of his new house, approached the OP for rectification of the electricity bill generated in his name against the pre-existing, jointly owned family house.

Although the Complainant approached the Deputy Commissioner Kupwara in the year 2018, who endorsed the written representation to the concerned Executive Engineer (XEN), the electricity was disconnected but the bills generated in the name of the Complainant against the jointly owned home as such which accumulated a considerable amount.

The OP was under burden duty to rectify the particulars of the bills and issue the bills against the proper subscriber of the jointly owned house, rather than issuing the regular bills in the name of the Complainant.

Not rectifying the particulars of the electricity bills has accumulated the amount and has admittedly caused inconvenience to the complainant such inaction of the OP's amounts to deficiency in service on the part of the OP.

In view of the above facts, the complaint is partly allowed and disposed of with the following directions:

1. The electricity bill generated in the name of the complainant bearing No.0214010006915 for an amount of Rs. 2,10,934/- (Rupees Two Lakh Ten Thousand Nine Hundred and Thirty-Four Only) is hereby quashed.
2. The Opposite Party is directed to issue a fresh electricity bill in the name of the Complainant against the newly constructed house, if otherwise the said house is provided electricity connection.
3. The Complainant shall, however be liable to pay the dues of jointly owned house.
4. The OP is further directed to pay a sum of Rs. 10,000/= (Rupees Ten Thousand Only) to the Complainant as litigation charges.

The OP shall comply with the order within a period of 4 weeks from the date copy of the order is served upon the OP.

Order announced
Date: 12-11-2026.

12/11/26

Nyla Yaseen
Member
District Consumer Disputes
Redressal Commission
Kupwara

Peerzada Qousar Hussain
President 12/11/26
PRESIDENT
District Consumer Disputes
Redressal Commission kupwara

Copy of this Order be provided to the parties free of cost and file be consigned to records after due completion.