**Office/Court of the Ombudsman, Electricity Punjab,**

66 KV Grid Sub Station, Plot No: A-2,

Industrial Area Phase-I,S.A.S. Nagar (Mohali)

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**INTERIM ORDER**

**IN APPEAL CASE OF M/S ALLIED RECYCLING LIMITED, VILLAGE DUDHEWAL (LUDHIANA) – A/C NO: R – 72 – KK 01 / 00052**

**Appeal No. 78 / 2016 Date of Order: 28.02.2017**

1.The above appeal case was scheduled for hearing on 28.2.2017 at 11.30 A.M. Shri Devinder Kumar Mehta, (authorized representative), on behalf of the Petitioner; Er. Kanwal Preet Singh Sidhu, Addl. S.E., Operation Division, PSPCL Samrala alongwith Er. Rohit Gupta, AE / OP City Sub Division, Samrala appeared on behalf of the respondents – PSPCL.

2. The appeal was filed by the Authorized Representative Shri Devinder Kumar Mehta through Sh. Tajender Kumar Joshi (Advocate) and Sh. R. S. Joshi (Advocate) as per Power of Attorney attached to the Appeal.

At the scheduled time of hearing the Authorized Representative Sh. D. K. Mehta, who appeared on behalf of the Petitioner prayed to adjourn the case to some other date as their Advocate Shri Tejinder Kumar Joshi have gone to Delhi to appear before the Hon’ble Supreme Court of India and thus was unable to attend today’s proceedings. No submission was made by the Authorized Representative regarding the facts of the case or the non-appearance of the other Advocate.

3. Provisions contained in Regulation 3.22 of Forum & Ombudsman Regulation – 2016 provides that:

*“No adjournment shall ordinarily be granted by the Ombudsman unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the Ombudsman.”*

4. In the present case, the only reason mentioned for adjournment was the absence of Sh. Tajender Kumar Joshi Advocate being away to Delhi, which I feel is not a sufficient cause to seek adjournment especially when the Petitioner has engaged two Advocates. In the case of absence of one Advocate, the other Advocate Sh. R. S. Joshi was required to attend the Court whereas both Advocates remained absent during hearing of the case without making any written request to the Court and inspite of the fact when telephonic request made in the afternoon of 27th of February 2017 was rejected through SMS being the request made at nick of time. The plan to visit Delhi for appearance in the Hon’ble Supreme Court of India to argue a case there cannot be born without providing a sufficient time. Accordingly, in case, the appearance of Advocate in Supreme Court was inevitable, he was required to make a written request for adjournment well in time so as to enable this Court to inform the other Party about the adjournment. Alternatively, he should have deputed the other hired Advocate to appear in this Court to save the precious time of this Court and the officers of the Respondents. Such lackadaisical attitude on the part of Petitioner is undesirable which has caused financial loss to the Respondents by way of Travelling & other expenses apart from Salary of the officers, who attended the court on the fixed date.

5. Taking a serious view of the facts, as described above, I am pained to decide that the Petitioner should pay a sum of Rs. 3950/- (Three Thousand Nine Hundred and fifty only) as cost of the expenses on account of Travelling & other expenses of officers of Respondents by depositing the amount in the concerned Division / Sub-divisional office of the Respondents, which will be credited to the Revenue of the Respondents, on or before 09.03.2017 (the next date of hearing).

6. Taking a lenient view and to afford an opportunity to the Petitioner to be heard, the case is adjourned to 09.03.2017 which will come up for hearing at 11.30 AM. Both parties are directed to attend the Court in time to present / defend the case.

(MOHINDER SINGH)

Place: SAS Nagar (Mohali) Ombudsman

Dated: 28.02.2017 Electricity .Punjab,

SAS Nagar (Mohali)