

**COURT OF THE LOK PAL (OMBUDSMAN),
ELECTRICITY, PUNJAB,
PLOT NO. A-2, INDUSTRIAL AREA, PHASE-1,
S.A.S. NAGAR (MOHALI).**

**(Constituted under Sub Section (6) of Section 42 of
Electricity Act, 2003)**

**APPEAL No. 24/2024
PROCEEDINGS DATED 10.12.2024**

In the Matter of:

Secretary, Dharam Parchar Committee,
Tohra Institute, Bahadurgarh,
Patiala.

Contract Account Number: P41GC410169W (NRS)

...Appellant

Versus

Addl. Superintending Engineer,
DS Sub Urban Division,
PSPCL, Patiala.

...Respondent

Present For:

Appellant: Sh. Satinder Singh,
Sh. Harpreet Singh,
Appellant's Representatives.

Respondent : Er. Vijay Singh,
AEE, DS Sub Urban Division,
PSPCL, Patiala.

At the start of hearing, the issue of condoning of delay in filing the Appeal beyond the stipulated period was taken up. The Appellant's Representative submitted that after implementation of the decision of the Corporate CGRF, the Addl. S.E./DS Sub

Division, Bahadurgarh issued vide Letter No. 1091 dated 10.10.2024. This letter was received by the Appellant on 23.10.2024. As such, there was delay in filing the Appeal. The reason for delay in filing the Appeal is delay in implementation of decision and intimation to the Appellant vide Letter No. 1091 dated 10.10.2024 that is received by the Appellant on 23.10.2024. The Appellant requested for the condonation of delay in filing the Appeal & prayed that Appeal be heard on merits. I find that the Respondent did not object to the condoning of the delay in filing the Appeal in this Court either in its written reply or during hearing in this Court.

In this connection, I have gone through Regulation 3.18 of PSERC (Forum and Ombudsman) Regulations, 2016 which reads as under: -

“No representation to the Ombudsman shall lie unless:

- (ii) *The representation is made within 30 days from the date of receipt of the order of the Forum.*

Provided that the Ombudsman may entertain a representation beyond 30 days on sufficient cause being shown by the complainant that he/she had reasons for not filing the representation within the aforesaid period of 30 days.”

It was observed that refusal to condone the delay in filing the Appeal would deprive the Appellant of the opportunity required to be afforded to defend the case on merits. Therefore, with a view to meet the ends of ultimate justice, the delay in filing the Appeal in this Court beyond the stipulated period was condoned and the Appellant was allowed to present the case.

The submissions of the Appellant's Representative were heard. He told this Court that the Respondent has not submitted the para-wise reply to the Appeal. The Respondent was directed to submit para-wise Reply to the Appellant as well as this Court by 13.12.2024. The Appellant's Representative requested time of 2 weeks for studying the Reply of the Respondent & for filing Rejoinder.

The next date of hearing is fixed for 23.12.2024 at 12.00 PM. Both the parties are directed to be present on the next date of hearing.

December 10, 2024
S.A.S. Nagar (Mohali).

(ANJULI CHANDRA)
Lokpal (Ombudsman)
Electricity, Punjab.