

**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. 25/2024
PROCEEDINGS DATED 18.12.2024**

In the Matter of:

Sh. Amit Jain,
Street No.-2 Ram Vihar,
Guru Vihar, Ludhiana.

Contract Account Number: 3008586162 (MS)

...Appellant

Versus

Addl. Superintending Engineer,
DS Sunder Nagar Division,
PSPCL, Ludhiana.

...Respondent

Present For:

Appellant:

Sh. Sukhminder Singh,
Appellant's Representative.

Respondent :

Er. J.S. Jandu,
Additional Superintending Engineer,
DS Sunder Nagar Division,
PSPCL, Ludhiana.

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 the Respondent had issued revised Notice bearing Memo No. 3882 dated 05.11.2024 to deposit the balance amount of ₹ 7,89,004/- after the

implementation of the order dated 20.08.2024 of the Corporate Forum, Ludhiana. Then the Appellant had deposited the balance 20% of the disputed amount on 30.11.2024. The reason for delay in filing the Appeal was delay in implementation of the order of the Corporate Forum, Ludhiana. He 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's Representative was allowed to present the case.

Arguments of both the parties were heard. This Court directed the Respondent to submit on or before 23.12.2024, the consumption data of the Appellant from year 2022 till date alongwith the MDI & the sanctioned load during this period. The six months assessment carried out for overhauling the account of the consumer and its basis may also be furnished.

The next date of hearing is fixed for 30.12.2024 at 12.30 PM. Both the parties are directed to be present on the next date of hearing.

December 18, 2024
S.A.S. Nagar (Mohali).

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