

**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. 26/2024
PROCEEDINGS DATED 18.12.2024**

In the Matter of:

Sh. Davinder Singh,
Malerkotla Road,
Near Chaudhary Petrol Pump,
Khanna.

Contract Account Number: K35MS350080N(MS)

...Appellant

Versus

Addl. Superintending Engineer,
DS Division, PSPCL,
Khanna.

...Respondent

Present For:

Appellant: 1- Sh. Davinder Singh,
Appellant.
2- Sh. Sukhminder Singh,
Appellant's Representative.

Respondent : Er. H.S. Chahal,
Addl. Superintending Engineer,
DS Division, PSPCL,
Khanna.

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. 1041 dated 04.11.2024 to deposit the amount of ₹ 17,83,991/- after the implementation of the order dated 24.09.2024 of the Corporate Forum, Ludhiana. Then the Appellant had deposited the balance 20% of the disputed amount on 13.11.2024. 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 calculation sheet of ₹ 17,83,991/- charged to the Appellant vide Fresh Notice bearing Memo No. 1041 dated 04.11.2024 after the implementation of the orders of the CCGRF, Ludhiana.

The next date of hearing is fixed for 30.12.2024 at 01.00 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.