

BEFORE THE ELECTRICITY OMBUDSMAN, RANCHI

2nd Floor, Sainik Market, Main Road, Ranchi – 834001

Appeal No. EOJ/01/2026

Dated – 26th March' 2026

M/S Hindustan Forge

..... Appellant

Versus

JUVNL & Ors.

..... Respondents

Present:

Electricity Ombudsman

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Mr. Nalin Kumar

For the appellant

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Ms. Ayushi (Advocate)

ORDER

1. This is an order on the representation/appeal filed on behalf of consumer/appellant against the order dated 19.01.2024 in case No. 11 of 2022 passed by learned Vidyut Upbhokta Shikayat Niwaran Forum (In short to be referred as VUSNF) of JBVNL, Chaibasa at Jamshedpur. Learned counsel for the appellant, Ms. Ayushi has been heard on the point of limitation and condonation of delay of 689 days and it has come up today for order.

2. It has been submitted by Ms. Ayushi, the counsel for the appellant consumer that the appellant has filed the instant appeal/representation against the order dated 19.01.2024 passed in case No. 11 of 2022 by learned VUSNF, Chaibasa at Jamshedpur. It has been further submitted by Ms.

Ayushi that the reason for filing the appeal belatedly for a period of 689 days is because of the fact that the appellant had earlier filed a Writ Petition before the Hon'ble High Court of Jharkhand in W.P. (C) No. 986 of 2024, which was disposed of on 10.09.2025, vide order dated 10.09.2025.

3. The appellant further submitted that the liberty granted by the Hon'ble High Court does not restrict the appellant within any specific time frame, and therefore the present representation has been filed pursuant to the liberty so granted.

4. She prayed to condone the delay of 689 days in light of the liberty given by Hon'ble Jharkhand High Court.

5. On perusal of the Judgement/Order of learned VUSNF, it is found that the learned VUSNF, Chaibasa has passed its judgement on merit on 19/01/2024. Against this judgement, the appellant moved before Hon'ble High Court and it was registered as W.P.(C) No. 986 of 2024, for quashing the judgement dated 19.1.2024 passed by VUSNF, Chaibasa at Jamshedpur passed in case No. 11/2022 whereby and whereunder learned VUSNF has been pleased to dismiss the petitioner's complaint filed for quashing the final bill dated 18.6.2021 and for issuance of revised bill and also to issue No Objection Certificate after payment of the payable amount of Rs. 20,29,450/- The Hon'ble Court vide order dated 10/09/2025 has disposed of the writ with liberty to prefer appeal before appropriate forum.

6. **Clause 20 (3) (b) of JSERC Regulation (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers, Electricity Ombudsman and Consumer Advocacy) Regulation, 2020 prescribes limitation of 30 days and further 30 days on sufficient cause**

being shown for filing representation by any consumer or any licensee who is aggrieved by the order of learned VUSNF or for non implementation of the orders of the forum.

7. Admittedly this appeal has been filed by the appellant/ consumer after delay of 689 days on 08/01/2026 against the impugned order passed on 19/01/2024. Meaning thereby that even after disposal of the writ petition on 10/09/2025 it took 120 days in filing this appeal whereas the maximum time prescribed for filing appeal is 30 days plus 30 more days on cause being shown, i.e. 60 days.

8. The question whether the period of limitation prescribed under the Electricity Act, 2003 can be condoned applying section 5 of the Limitation Act, 1963 was considered by the Hon'ble Supreme Court in "**Chhattisgarh State Electricity Board vs. Central Electricity Regulatory Commission & Ors., reported in AIR 2010 SC 2061; 2010(5) SCC 23**"; wherein the apex court has held that the Electricity Act, 2003 being a special act within the meaning of Section 29(2) of the Limitation Act, 1963, shall prevail over the general act and after elaborately considering the purpose and intent of the legislature behind enacting this law, has further decided that Section 5 of the Limitation Act, 1963 would not be attracted while considering matters arising out of Electricity Act, 2003.

9. In view of the discussion above, this appeal is not maintainable as it is barred by JSERC Regulation under **Clause 20 (3) (b) (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers, Electricity Ombudsman and Consumer Advocacy) Regulation, 2020.**

10. In the result this representation/appeal filed by the appellant consumer is **REJECTED**.

Let a copy of this Order be served on the appellant.

Sd/-
Electricity Ombudsman