

**BEFORE THE ELECTRICITY OMBUDSMAN, JHARKHAND**  
4<sup>th</sup> floor, Bhagirathi Complex, Karamtoli Road, Ranchi – 834001

**Appeal No. EOJ/05/2012**

**Dated- 12<sup>th</sup> September' 2012**

**M/s Laxmi Business and Cement Co. Pvt. Ltd. .... Petitioner**

**Versus**

**Jharkhand State Electricity Board & others .... Respondents**

**Present:**

**Electricity Ombudsman - Shri Arun Kumar Datta**

**Counsel for the appellant - Shri N.K. Pasari  
Shri Sudhir Kr. Singh**

**Counsel for the respondent - Shri Rajesh Shankar  
Shri Abhay Prakash**

**ORDER**

1. This is an order on the point of limitation and condonation of delay in filing the representation for implementation of the order of learned Vidyut Upbhokta Shikayat Niwaran Forum (In short to be referred as V.U.S.N.F.) of J.S.E.B., Ranchi, passed in case No. 08/2009 on 24.02.2011. The learned counsels of both the sides have been heard on the aforesaid petition and it has come up today for order.

2. It has been submitted by Shri N.K. Pasari the learned Counsel of the consumer/petitioner that the petitioner has filed the present application for execution of the order dated 24.02.2011 passed in case No. 08/2009 by the V.U.S.N.F., Ranchi which was received by the petitioner on 06.03.2011. Thereafter the petitioner made various representations for compliance of the

aforesaid order by the J.S.E.B. in as much as no time frame was fixed by the V.U.S.N.F., Ranchi. In spite of all its efforts the petitioners failed to get the orders of V.U.S.N.F., Ranchi executed, the petitioner has filed this application for implementation of the order dated 24.02.2011 which was filed on 30.7.2012 before this forum of Electricity Ombudsman. It has been further submitted on behalf of consumer/petitioner that the delay if any, was not due to the act or any latches on the part of petitioner, but on the assumption that since the J.S.E.B. has not preferred any appeal and since the J.S.E.B. has accepted the orders, therefore the same was not filed. As such it has been prayed that the delay if any, may be condoned and appropriate order may be passed otherwise the petitioner/consumer will suffer irreparable lose and injury.

3. On the other hand Shri Rajesh Shankar the learned standing Counsel appearing on behalf of J.S.E.B./respondent has submitted that Clause 20 (3)(b) of (Guidelines For Establishment Of Forum For Redressal Of Grievances Of The Consumers And Electricity Ombudsman) Regulation, 2011 prescribes a limitation of thirty days and further 30 days on sufficient cause being shown for filing appeal/implementation of the orders of the forum. But in this case the consumer/petitioner has filed the representation/petition for implementation of order of forum after more than prescribed period of limitation. Therefore according to learned Counsel of J.S.E.B. this case is not maintainable as being barred by Clause 20(3)(b) of JSERC Regulation (Guidelines For Establishment Of Forum For Redressal Of Grievances Of The Consumers And Electricity Ombudsman) Regulation, 2011.

4. I also find myself in agreement with the aforesaid submissions made on behalf of J.S.E.B./respondent. Because Clause 20(3)(b) of JSERC Regulation (Guidelines For Establishment Of Forum For Redressal Of Grievances Of The Consumers And Electricity Ombudsman) Regulation, 2011 prescribes a limitation of only 30 days and further 30 days on sufficient cause being shown for filing any appeal or non of the implementation of the orders of the forum. Where as in this case the consumer/petitioner has filed this representation for implementation of the orders of learned V.U.S.N.F. passed on 24.02.2011 in case No. 08/2009 which is more than 14 months from the date of receipt of order passed by learned V.U.S.N.F. Therefore this case is not maintainable as being barred by JSERC Regulation under Clause 20(3)(b) (Guidelines For Establishment Of Forum For Redressal Of Grievances Of The Consumers And Electricity Ombudsman) Regulation, 2011.

5. In the result this representation petition filed by the petitioner/consumer is rejected.

Let a copy of the Order be served on both the parties.

Sd/-  
Electricity Ombudsman