

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

**Appeal No. EOJ/16/2008**

Dated- 11<sup>th</sup> August, 2008

<b>M/s Bharat Ingots &amp; Steel Pvt. Ltd.</b>	.....	<b>Appellant(s)</b>
<b>Versus</b>		
<b>JSEB through its Chairman &amp; others</b>	.....	<b>Respondent(s)</b>

**Present:**

<b>Shri Sarju Prasad</b>	<b>Electricity Ombudsman</b>
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**For Appellant (s)**

**(1) Shri Ajit Kumar, Advocate**  
**(2) Shri Vijay Gupta, Advocate**

**For Respondent (s)**

**(1). Shri Rajesh Shankar, Advocate**  
**(2) Shri Abhay Prakash, Advocate**

**ORDER**

This appeal has been filed against the order dated 28/11/07 passed by VUSNF of JSEB, Ranchi in case no. 66/2006. The present appeal has been filed on 05/05/2008.

It appears that the impugned judgement was served upon the representative of the appellant on 10/12/2007. Thereafter one Shri Rajesh Kumar Singh, authorized representative of appellant received the certified copies of entire order sheet of case no. 66/2006 including the order dated 28/11/2007 passed by VUSNF of JSEB, Ranchi on 10/01/2008 but the present appeal has been filed almost 5 months after the receipt of the impugned judgement.

As per the (Guidelines for Establishment of Forum for Redressal of Grievances of the consumers and Electricity Ombudsman) Regulation, 2005 as contained in Clause 13, any appeal has to be filed within a period of 30 days from the date of order. The Electricity Ombudsman has been authorized to entertain an appeal even after expiry of said period of 30 days if he is satisfied that there are sufficient cause for not filing the

appeal within that period; but within a maximum period of 60 days from the order of the Forum. In the present case, appeal has been filed more than 5 months after the receipt of the judgement of the VUSNF.

The reason of delay in the filing of appeal has been mentioned that appellant's authorized officer had contacted the lawyer about the status of the case on 12/11/2007 but was informed that the matter may take some time. In the mean time, the impugned judgement was delivered on 28/11/2007 about which no immediate information was given to appellant. The authorized officer of the appellant, in the mean time, had fallen seriously ill and was under continuous treatment. He was also operated during 24/09/2007 to 22/02/2008 therefore he could not contact and get the information regarding the case from the conducting lawyer before the Forum.

From the material on records, I find that there is no satisfactory explanation for such a long delay for more than 5 months, specially when the impugned judgement was already served upon the representative of the appellant on 10/12/2007 and again on 10/01/2008.

I find that this appeal has not been filed during the prescribed period of limitation therefore; this appeal is dismissed in limine.

Let a copy of this order be sent to both the parties.

Sd/-  
Electricity Ombudsman