



CWP No.7553-2025 (O&M) 1

**118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.7553-2025 (O&M)
Date of Decision: 19.03.2025**

Punjab State Power Corporation Limited and another

....Petitioners

Versus

**National Consumer Dispute Redressal Commission, New Delhi and
others**

.....Respondents

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr.Manpreet Singh Longia, Advocate
for the petitioners.

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ANUPINDER SINGH GREWAL, J. (Oral)

The petitioners have challenged the orders dated 09.09.2024 (Annexure P-14) and 12.03.2024 (Annexure P-13) passed by the National Consumer Disputes Redressal Commission, New Delhi (for short 'National Commission') and the State Consumer Disputes Redressal Commission, Punjab (for short 'State Commission') respectively, whereby the appeal against the order dated 14.05.2019 (Annexure P-12) of the District Consumer Disputes Redressal Forum, Faridkot (for short 'District Commission') has been dismissed on account of delay and laches.

2. Learned counsel for the petitioners- PSPCL submits that the delay in filing the appeal before the State Commission had taken place as the case was processed at several stages and therefore, the same ought to have been condoned.



3. Heard.

4. The respondent No.4- Jeet Singh had preferred a complaint before the District Commission seeking the release of the electricity connection to the tubewell, that stood sanctioned to respondent No.4 under the Chairman Priority Quota Scheme of the petitioners- PSPCL. The respondent No.4 had moved an application for 7.5 BHP tubewell connection and had deposited security charges of Rs.1600/- on 21.12.2016. His application was allowed by the order dated 21.12.2016 and it was ordered that the tubewell connection be released by the petitioners after he would deposit another sum of Rs.15,000/- towards service connection charges. The District Commission while allowing the complaint of respondent No.4- Jeet Singh on 14.05.2019 (Annexure P-12) had found the petitioners- PSPCL liable for deficiency in service and issued a direction to issue the tubewell connection to the respondent No.4 under the said quota. The District Commission had rejected the contention of the petitioner-PSPCL, that although the order had been issued by the Chairman for the release of the tubewell connection on 21.12.2016, it was valid only for a period of three months. Thereafter, on 11.01.2017, the Principal Secretary, Government of Punjab, Department of Power had issued directions to maintain status-quo due to the imposition of the Code of Conduct for Assembly Elections. The District Commission had arrived at a finding of fact that, as the orders had been passed by the Chairman for release of the tubewell connection well before the order of the Principal Secretary, Department of Power, the orders ought to have been given effect to by the petitioners-PSPCL. The District



Commission had further observed that it was the duty of the petitioners-PSPCL to accept the request of respondent no.4 for the release of the tubewell connection after the Code of Conduct had ceased to exist and the respondent No.4 had approached the petitioners-PSPCL.

5. The petitioners- PSPCL had challenged the order of the District Commission by preferring an appeal before the State Commission and the State Commission by its order dated 12.03.2024 (Annexure P-13) had dismissed the application for condonation of delay as well as the appeal of the petitioners- PSPCL being time-barred. There had been a delay of 473 days in preferring the appeal before the State Commission and the only reason set out in the application for condonation of delay was that the matter had to be processed at various levels and therefore, sufficient cause had been made out for condoning the delay. The State Commission had, however, opined in its order that the petitioners-PSPCL is a structured entity having its own legal department, but they had rather opted for a casual approach in pursuing the appeal.

6. Thereafter, the petitioner-PSPCL had impugned the order of the State Commission in a revision petition before the National Commission. The National Commission, by its order dated 09.09.2024 (Annexure P-14), had refused to interfere with the order of the State Commission and had held that managerial insufficiency, internal administrative slackness, lack of due diligence on the part of its officials, or their negligence would not constitute 'sufficient cause' or 'valid reasons' to earn condonation of delay.

7. We are not impressed by the argument of the counsel for the

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petitioners that the delay had been sufficiently explained and the same ought to be condoned, for the reason that the delay in preferring the appeal was of 473 days and application setting out the reason for condonation of delay is vague and nebulous. It is true that PSPCL is a statutory body, but it is incumbent upon the statutory body to seek recourse to the remedy available to it under the law promptly and expeditiously. In the event of any unreasonable delay on the part of any officer in dealing with the file, the petitioners ought to have taken disciplinary action against the concerned officer. In response to a query from this Court as to whether any disciplinary action had been taken against any of the officers of the petitioners, the learned counsel for the petitioners was unable to confirm if any action had indeed been taken in that regard.

8. In view of the above, we do not find any illegality in the orders of the National Commission and the State Commission in dismissing the appeal of the petitioners for the inordinate and unexplained delay of 473 days in preferring the appeal before the State Commission. Consequently, the petition being devoid of any merit, stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

19.03.2025
sapna

(DEEPAK MANCHANDA)
JUDGE

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No