

# **THE STATE ELECTRICITY OMBUDSMAN**

D.H. Road & Foreshore Road Junction, Near Gandhi Square,

Ernakulam, Kerala-682 016

Ph: 0484 2346488, Mob: 8714356488

Email: [ombudsman.electricity@gmail.com](mailto:ombudsman.electricity@gmail.com)

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**Review Petition No. RP/008/2023**

**(Present A. Chandrakumaran Nair)**

**Dated: October-13-2023**

Review Appellant : The Assistant Executive Engineer,  
Electrical Sub Division,  
Kerala State Electricity Board Limited,  
Balaramapuram.

Review Respondent : Smt. jayalakshmi S,  
Koickkal Vilakathu Veedu,  
Venganoor Street,  
Pallichal P.O.,  
Thiruvananthapuram.

## **ORDER**

### **Background of the case**

This review petition is filed to review the order of Ombudsman for the appeal petition no. P/027/2023. The review appellant is the licensee. M/S KSEBL. The appeal petition P/027/2023 was heard 27/06/2023 and the order was released on 14/07/2023. The petition was for shifting the transformer and two pole structure of the licensee which is obstructing the access of the appellant from the main road to his house. The appellant's only son is suffering from Spinal Muscular Atrophy (SMA) and he is not able to move by himself. The appellant purchased land of 1.25 cents to make a direct entry to her home from the road. Her son is grown up and hence could not be carried to home. The vehicle has to reach the home, so that the son could be taken to the home. The transformer and two pole structure are blocking the entry from the road. This was done during 2010, and request for shifting by the consumer were not been heard by the licensee. Accordingly, the petition was filed to this office as the appeal to the CGRF order. The appellant filed the petition to review the order issued.

### **Maintainability of the Review Petition**

The review petition is filed to this office on 09/10/2023 which is almost 3 months after the date the issue of order (14/07/2023).

The Section 27(A) of KSERC (CGRF and Electricity Ombudsman) Regulation 2005 states as below.

27A (1) *“The Electricity Ombudsman may, either on its own motion or an application of any person aggrieved by an order, review its order on the following grounds, namely: -*

- (i) On the discovery of a new and important matter or evidence which, after the exercise of due diligence, was not with his knowledge or could not be produced by him.*
- (ii) Mistake or error apparent on the face of the record.”*

*(2) “An application under clause (1) shall be filed within period of fifteen days from the date of receipt of the order.*

*Provided that Electricity Ombudsman may entertain an application after the expiry of the said period of fifteen days, if it is satisfied that the applicant had sufficient cause for not preferring the review within such period.”*

This Section clearly specify that the review petition is to be submitted within 15 days from the date of receipt of this order. A reasonable delay could be condoned by the Ombudsman if the sufficient reason with documentary evidence to justify the delay is provided. Here there is no justification for the delays.

## **Decision**

In view of the above the review petition is rejected and dismissed herewith.

### **ELECTRICITY OMBUDSMAN**

No. RP/008/2023/\_\_\_\_\_ dated: 13/10/2023.

#### **Delivered to:**

1. The Assistant Executive Engineer, Electrical Sub Division, Kerala State Electricity Board Limited, Balaramapuram.
2. Smt. jayalakshmi S, Koickal Vilakathu Veedu, Venganoor Street, Pallichal P.O., Thiruvananthapuram.

#### **Copy to:**

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.

2. The Secretary, KSE Board Limited, Vydhyuthibhavanam, Pattom, Thiruvananthapuram-4.