



Before the Appellate Board  
National Electric Power Regulatory Authority  
(NEPRA)  
Islamic Republic of Pakistan

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No. NEPRA/AB/Appeal-038/POI-2016/ 1601-1606

December 05, 2016

1. Sardar Muhammad Javaid Chiragh Javaid,  
R/o Darbar Ilam Din,  
Tehsil & P.O. Chunian,  
District Kasur
2. The Chief Executive Officer  
LESCO Ltd,  
22-A Queens Road,  
Lahore
3. Mehar Shahid Mahmood,  
Advocate High Court,  
Office No. 25, 3<sup>rd</sup> Floor,  
Ali Plaza, 3-Mozang Road,  
Lahore
4. Sardar M.S. Tahir,  
Advocate High Court,  
1<sup>st</sup> Floor, Wali Centre,  
218-Ferozpur Road, Lahore
5. Assistant Manager (Operations),  
LESCO Ltd,  
Chunian SubDivision,  
Chunian, Distt. Kasur
6. Electric Inspector  
Lahore Region, Energy Department,  
Govt. of Punjab, Block No. 1,  
Irrigation Complex, Canal Bank,  
Dharampura, Lahore

Subject: Appeal Titled LESCO Vs. Sardar Anayat Ullah Against the Decision Dated 11.08.2015 of the Electric Inspector/POI to Government of the Punjab Lahore Region, Lahore

Please find enclosed herewith the Decision of the Appellate Board dated 02.12.2016, regarding the subject matter, for information and necessary action accordingly.

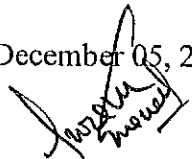
Encl: As Above

No. NEPRA/AB/Appeal-038/POI-2016/ 1607

Forwarded for information please.

(Ikram Shakeel)

December 05, 2016

  
Assistant Director  
Appellate Board

1. Registrar
2. Director (CAD)

CC:

1. Member (CA)



# National Electric Power Regulatory Authority

## Before Appellate Board

In the matter of

Appeal No. NEPRA/Appeal-038/POI-2016

Lahore Electric Supply Company Limited

.....Appellant

Versus

Sardar Anayatullah, R/o Darbard Ilam Din,  
Tehsil & P.O. Chunian, District Kasur

.....Respondent

### For the appellant:

Mr. Irfan Liaqat Court Clerk

### For the respondent:

Sardar M.S. Tahir advocate

## DECISION

1. Through this decision, an appeal filed by Lahore Electric Supply Company Limited (hereinafter referred to as LESCO) against the decision dated 11.08.2015 of Provincial Office of Inspection/Electric Inspector, Lahore Region, Lahore (hereinafter referred to as POI) is being disposed of.
2. Brief facts giving rise to the instant appeal are that the respondent is a domestic consumer of Lahore Electric Supply Company Limited (hereinafter referred to as LESCO) bearing Ref No. 19-1791-04201008-R with a sanctioned load of 1kW under A-1R tariff. The respondent being aggrieved with detection bills amounting to Rs. 39,820/- for 5,076 units charged in September 2005 and Rs.10,291/- charged in February 2006 filed an application before Provincial Office of Inspection/Electric Inspector, Lahore Region, Lahore (hereinafter referred to as POI) who disposed of the matter vide its decision dated 11.08.2015 while holding that *the impugned excessively charged bills amounting to*





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*Rs.39,820/- and Rs.10,291/- in the monthly bills for the month of 09/2005 and 02/2006 respectively are void, unjustified and of no legal effect; therefore the petitioner is not liable to pay. However the respondents are directed to charge the monthly bills for the said months as per actual meter readings recorded at the billing meter. The respondents are also directed to over-haul the account of the petitioner accordingly and any excess amount recovered be adjusted in future bills."*

3. The instant appeal has been filed against the above referred decision under section 38 (3) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997 (hereinafter referred to as the NEPRA Act 1997). Along with the appeal, an application seeking condonation of delay has also been filed.
4. Notice of the appeal was issued to the respondent for filing reply/parawise comments, which were filed on 31.03.2016. In his reply, the respondent raised the preliminary objection regarding limitation and pleaded that the impugned decision is not maintainable being time barred.
5. A hearing into the matter conducted in NEPRA regional office Lahore on 21.11.2016 in which Mr. Irfan Liaquat was in attendance for the appellant LESCO and Sardar M.S Tahir advocate appeared for the respondent. At the outset of hearing, learned counsel for the respondent raised the preliminary objection regarding limitation and contended that the impugned decision dated 11.08.2015 was received by LESCO on 21.08.2015, whereas the appeal was filed on 22.02.2016 which was time barred under section 38 (3) of NEPRA Act 1997, hence liable to be dismissed. The representative of LESCO admitted the delay and stated that an application for condonation of delay has been filed.
6. We have heard arguments and examined the record placed before us. The impugned decision was pronounced by POI on 11.08.2015, received by LESCO on 21.08.2015 and the appeal was filed before the NEPRA on 22.02.2016 after a lapse of 185 days of its receipt and obviously it is time barred under section 38 (3) of NEPRA Act, 1997. In the application for condonation of delay, no plausible reason for delay is mentioned and even otherwise it is a matter of law that the delay of each day is to be justified. Since LESCO has



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failed to justify the delay in filing the appeal, hence the application for condonation of delay as well as the appeal is dismissed being time barred.

Muhammad Qamar-uz-Zaman  
Member

Nadir Ali Khoso  
Convener

Muhammad Shafique  
Member

Date: 02.12.2016