



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

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No. NEPRA/Appeal/120/POI/2019/ 795

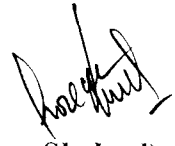
October 18, 2021

- | | |
|---|---|
| 1. Adul Rehman Khan
S/o. Aman Ullah Khan,
R/o. Mouza Ratta Kahna,
Depalpur, District Okara | 2. Chief Executive Officer
LESCO Ltd,
22-A, Queens Road,
Lahore |
| 3. A. D. Bhatti
Advocat High Court,
Rehmat Tower, 13-Fane Road,
Lahore | 4. Mian Muhammad Mudassar Bodla
Advocate Supreme Court,
Syed Law Building, 4-Mozang Road,
Lahore |
| 5. Sub Divisional Officer (Opr),
LESCO Ltd,
Mazhar Abad Sub Divivision,
Depalpur, District Okara | |

Subject: **Decision of the Appellate Board Regarding Review Petition Filed By Abdul Rehman Khan Against the Decision of the Appellate Board Dated 29.10.2019 In The Matter Abdul Rehman Khan Vs. LESCO**

Please find enclosed herewith the decision of the Appellate Board dated 06.10.2021, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above


(Ikram Shakeel)
Deputy Director (M&E)
Appellate Board

Forwarded for information please.

1. Director (IT) –for uploading the decision on NEPRA website



National Electric Power Regulatory Authority

Before Appellate Board

Motion for leave for review filed by Mr. Abdur Rehman against the decision dated 29.10.2019 of NEPRA Appellate Board given in the Appeal-120/POI-2019 titled (Abdur Rehman Khan Vs. LESCO)

For Consumer:

Nemo

For LESCO:

Mian Muhammad Mudassar Bodla Advocate

DECISION

1. Through this decision, the review petition filed by Mr. Abdur Rehman Khan (hereinafter referred to as the Petitioner) against the decision dated 29.10.2019 of the National Electric Power Regulatory Authority (hereinafter referred to as NEPRA) Appellate Board is being disposed of.
2. The Petitioner filed an application before the Provincial Office of Inspection, Lahore Region, Lahore (hereinafter referred to as POI) on 21.05.2018 and assailed the bills for the period April 2018 to September 2018 charged by LESCO. The complaint of the Petitioner was disposed of by the POI vide decision dated 12.03.2019, wherein the bills for the period April 2018 to September 2018 were revised on the basis of consumption from April 2017 to September 2017. LESCO was further directed to install a new meter for future billing.
3. Being dissatisfied with the above decision, the Petitioner filed the appeal No.120/POI-2019 before NEPRA under Section 38 (3) of the NEPRA Act, 1997, which was disposed of by the Appellate Board vide decision dated 29.10.2019 (hereinafter referred to as "impugned decision") and the bills for the period April 2018 to September 2018 were revised on the basis of 100% of the consumption of the corresponding months of the year 2017 or average consumption of last eleven (11) undisputed months, whichever is higher.
4. The Petitioner filed the instant review petition before NEPRA on 28.10.2020 and challenged the aforementioned impugned decision. After issuing notice, the review petition was heard in NEPRA Regional Office Lahore on 16.07.2021, which was attended only by the learned counsel for LESCO and no one appeared for the Petitioner. Learned counsel for LESCO raised



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the preliminary objection regarding limitation and averred that the instant review petition is barred by time, since it is being filed after the specified limit of thirty (30) days. Learned counsel for LESCO prayed for the dismissal of the review petition on this ground alone.

5. Having heard the arguments of LESCO and examination of the record. Our findings are as under:

- i. Regarding the point of limitation raised by learned counsel for LESCO, it is observed that the Petitioner filed a review petition against the impugned decision dated 29.10.2019 before NEPRA on 28.10.2020 after a lapse of more than one (1) year, whereas the period for filing review against the decision of NEPRA is thirty (30) days in pursuance of the Regulation 3(3) of NEPRA (Review Procedure) Regulations, 2009. As such, the instant review petition is time-barred and liable to be dismissed.
- ii. It is further observed that the Petitioner did not appear before NEPRA Appellate Board despite repeated notices, hence the review petition is liable to be dismissed on the basis of non-prosecution as well.

6. In view of the above discussion, the review petition is rejected.

Abid Hussain
Member/Advisor (CAD)

Nadir Ali Khoso
Convener/Senior Advisor (CAD)

Maria Rafique
Member/ Legal Advisor

Dated: 06.10.2021