



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

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No. NEPRA/Appeal/020/2025/ *1033*

October 28, 2025

- | | |
|---|--|
| 1. M/s. Pakzon Electric Motors (Pvt.) Ltd,
Through Rehmat Ullah, Accountant,
Situating at Mouza Jodhu Deer,
Jia Bagga, Lahore
Cell No. 0342-5832681 | 2. Chief Executive Officer,
LESCO Ltd,
22-A, Queens Road,
Lahore |
| 3. Saeed Ahmed Bhatti,
Advocate High Court,
66-Khyber Block, Allama Iqbal Town,
Lahore
Cell No. 0300-4350899 | 4. Azhar Abbas Sandila,
Advocate High Court,
Alvi Manzil, 1 st Floor,
9-Fan Road, Lahore
Cell No. 0300-4925003 |
| 5. Assistant Manager (Operation),
LESCO Ltd,
Jia Bagga Sub Division,
Lahore | 6. POI/Electric Inspector,
Lahore Region-II,
Energy Department, Govt. of Punjab,
342-B, Near Allah Hoo Chowk,
Johar Town, Lahore
Phone No. 042-99333968 |

Subject: **Appeal No.020/2025 (LESCO vs. M/s. Pakzon Electric Motors (Pvt.) Ltd.) Against the Decision Dated 18.12.2024 of the Provincial Office of Inspection to Government of the Punjab Lahore Region-II, Lahore**

Please find enclosed herewith the decision of the Appellate Board dated 28.10.2025 (04 pages), regarding the subject matter, for information and necessary action, accordingly.

Encl: **As Above**


(Ikram Shakeel)
Deputy Director
Appellate Board

Forwarded for information please.

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



National Electric Power Regulatory Authority

Before the Appellate Board

In the matter of

Appeal No.020/POI-2025

Lahore Electric Supply Company Limited

.....Appellant

Versus

M/s. Pakzon Electric Motors (Pvt.) Limited,
Through Mr. Rehmatullah, Accountant,
Situated at Mouza Jodhu Deer, Jia Bagga, Lahore

.....Respondent

APPEAL U/S 38(3) OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant:

Mr. Saeed Ahmed Bhatti Advocate

For the Respondent:

Nemo

DECISION

1. Through this decision, the appeal filed by Lahore Electric Supply Company Limited (hereinafter referred to as the "Appellant") against the decision dated 18.12.2024 of the Provincial Office of Inspection, Lahore Region-II, Lahore (hereinafter referred to as the "POI") is being disposed of.
2. Brief facts of the case are that M/s. Pakzon Electric Motors (Pvt.) Limited (hereinafter referred to as the "Respondent") is an industrial consumer of the Appellant bearing Ref No.24-11222-3016203-U with a sanctioned load of 175 kW, and the applicable Tariff category is B-2(b). The Respondent filed a complaint before the POI on 20.08.2024 and challenged the arrears of Rs.424,184/- added in the bill for July 2024. The complaint of the Respondent was disposed of by the POI vide the decision dated 18.12.2024, wherein the impugned arrears amounting to Rs.424,184/- charged in July 2024 were cancelled.
3. The Appellant filed instant appeal before the NEPRA against the afore-referred decision of the POI, which was registered as Appeal No. 020/POI-2025. In its appeal, the Appellant opposed the impugned decision *inter alia*, on the main grounds that the POI accepted the complaint by holding that the excessive units were charged in March 2024, which were credited in May 2024; that the FPA amount on the excessive units charged in July 2024 has no legal effect; that the POI failed to appreciate; that the impugned decision was announced after expiry of 90 days, which is violative

Appeal No.020/POI-2025

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of Section 26(6) of Electricity Act 1910; that the impugned decision is result of misreading and non-reading of the documents/consumption data placed on record, hence the same is liable to be set aside. Upon the filing of the instant appeal, a notice dated 14.02.2025 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which were not filed.

4. Hearing in the matter was initially conducted at NEPRA Regional Office Lahore on 25.04.2025, wherein both parties tendered their appearance. Learned counsel for the Appellant could not justify the segregation of units and FPA due to the non-availability of the concerned official and requested to adjourn the case till the next date. The adjournment request was acceded to the Appellant with the direction to ensure attendance of the concerned RO and for the provision of details/segregation of disputed units and FPA. Hearing in the matter was again conducted at NEPRA Regional Office Lahore on 15.08.2025, which was attended by learned counsel for the Appellant, and no one appeared for the Respondent. Learned counsel for the Appellant repeated the same contention as contained in memo of the appeal and argued that the arrears of Rs.424,184/- accumulated till the billing month of July 2024 are justified and recoverable from the Respondent. However, he could not explain the justification for the above-mentioned arrears. Even the concerned officials of the Appellant did not appear for the assistance of the counsel while defending the case.
5. Arguments were heard and the record was perused. Following has been observed:
 - i While addressing the objection of the Appellant regarding the jurisdiction of the POI, the Respondent filed his complaint before the POI on 20.08.2024 under Section 38 of the NEPRA Act. POI pronounced its decision on 18.12.2024, i.e., after ninety (90) days of receipt of the complaint. The Appellant has objected that the POI was bound to decide the matter within 90 days under Section 26(6) of the Electricity Act, 1910. In this regard, it is observed that the forum of POI has been established under Section 38 of the NEPRA Act, which does not put a restriction of 90 days on POI to decide complaints. Section 38 of the NEPRA Act overrides provisions of the Electricity Act, 1910. Reliance in this regard is placed on the judgments of the honorable Lahore High Court, Lahore, reported in *PLJ 2017-Lahore-627* and *PLJ-2017-Lahore-309*. The relevant excerpt of the above judgments is reproduced below:

"PLJ 2017-Lahore-627:

Regulation of Generation Transmission and Distribution of Electric Power Act, 1997---838(3)--Electricity Act, 1910, S. 26(6)--Constitution of Pakistan, 1973. Art. 199--Constitutional petition--Consumer of LESCO.. The sanctioned load was differed with the connected load--Determine the difference of charges of the previous

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period of misuse to be recovered from the consumer--Validity--No disconnection or penal action was taken against petitioner rather only difference of charges between sanctioned load and load actually used by petitioner was charged, hence Clause 7.5 of Consumer Service Manual has not been violated-Issuance of detection bill itself amounts to notice and petitioner had also availed remedy before POI against determination--Order passed by POI was beyond 90 days--Order was not passed by the respondent under Section 26(6) of the Act as Electric Inspector rather the order was passed by him in the capacity of POI under Section 38(3) of Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (NEPRA Act), therefore, argument has no substance.

PLJ-2017-Lahore-309:

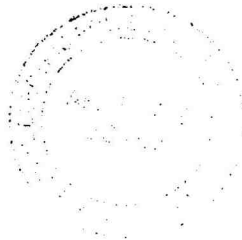
Learned counsel for the petitioner submitted that there was an outer time limit of 90 days for a decision by the Electric Inspector, which has not been observed and which rendered the decision of the Electric Inspector a nullity. This submission of the learned counsel has been dealt with by the Appellate Board and in any case, is fallacious. The short and simple answer rendered by the Appellate Board was that the decision was made under Section 38 of the Act, 1997 and not in terms of Section 26 of the Electricity Act, 1910. Therefore, the outer time limit of 90 days was inapplicable."

Keeping in view the overriding effect of the NEPRA Act on the Electricity Act, 1910, and the above-referred decisions of the honorable High Court, the objection of the Appellant is dismissed.

- ii The Respondent challenged before the POI the arrears of Rs.424,184/- added in the bill for July 2024, which were cancelled by the POI vide impugned decision. The Appellant preferred instant appeal before NEPRA against the impugned decision.
- iii To meet the ends of justice, the billing history of the Respondent as provided by the Appellant is reproduced below:

Table-1	A	B	C=A-B	Table-2	A	B	C=B-A	D	F=CxD
Month	Units debited	Units credited	Net units	Month	Taken in December 2023	Taken in July 2024	Difference	MF	Units to be charged
Dec-23	4080	0	4080	Reading	962	1364	402	80	32160
Jan-24	5600	0	5600						
Feb-24	20720	0	20720						
Mar-24	280080	0	280080						
Apr-24	880	292000	-291120						
May-24	1200	0	1200						
Jun-24	12240	0	12240						
Jul-24	7360	0	7360						
Total	332160	292000	40160						

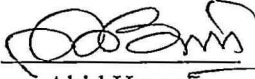
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- iv Perusal of the above table shows that the Respondent was charged the bills for total of 40,160 units from December 2023 to July 2024 as calculated in table-1, whereas the reading of the meter advanced for 32,160 units as assessed in table-2, which indicates that excessive billing was done by the Appellant during this period. In furtherance, the Appellant debited the arrears of Rs.424,184/- to the Respondent in July 2024; however, the Appellant could not justify the charging of said arrears despite affording repeated opportunities for hearings. This shows a lack of interest on the part of the Appellant's officials to defend the case before this forum.
6. In view of the foregoing discussion, we are inclined to agree with the determination of POI for cancellation of the arrears of Rs.424,184/- added to the bill for July 2024.
7. Forgoing in view, the appeal is dismissed.


Abid Hussain
Member/Advisor (CAD)

Dated: 28-10-2025


Naweed Illahi Sheikh
Convener/DG (CAD)


Muhammad Irfan-ul-Haq
Member/ALA (Lic.)

