



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

NEPRA Office , Ataturk Avenue (East), G5/1, Islamabad
Tel. No.+92 051 2013200 Fax No. +92 051 2600030
Website: www.nepra.org.pk E-mail: ikramshakeel@nepra.org.pk

No. NEPRA/Appeal/092/2024/752

August 15, 2025

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| 1. Muhammad Usman,
S/o. Muhammad Ramzan,
Village Faqiriye Wala,
Tehsil & District Kasur
Cell No. 0323-2145504 | 2. Chief Executive Officer,
LESCO Ltd,
22-A, Queens Road,
Lahore |
| 3. Mian Muhammad Mudassar Bodla,
Advocate Supreme Court,
Syed Law Chambers,
4-Mozang Road, Lahore
Cell No. 0333-4362312 | 4. Assistant Manager (Operation),
LESCO Ltd,
Bahadur Pura Sub Division,
District Kasur |
| 5. 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.092/2024 (LESCO vs. Muhammad Usman) Against the Decision Dated 21.03.2023 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 15.08.2025 (03 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.092/POI-2024

Lahore Electric Supply Company Limited

.....Appellant

Versus

Muhammad Usman S/o. Muhammad Ramzan,
Village Faqiriye Wala, Tehsil & District Kasur

.....Respondent

APPEAL UNDER SECTION 38(3) OF THE REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant:

Mian Muhammad Mudassar Bodla Advocate

For the Respondent:

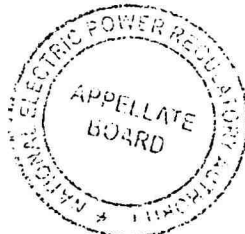
Mr. Muhammad Usman

DECISION

1. As per the facts of the case, Muhammad Usman (hereinafter referred to as the “Respondent”) is a domestic consumer of Lahore Electric Supply Company Limited (hereinafter referred to as the “Appellant”) bearing Ref No.10-11725-0634104-R having sanctioned load of 1 kW and the applicable tariff category is A-1(a). The Respondent filed an application dated 23.09.2022 before the Provincial Office of Inspection, Lahore, Region-II, Lahore (hereinafter referred to as the “POI”) and challenged the arrears of Rs.343,059/- against 10,817 units pertaining to the months i.e. February 2021 and March 2021 charged by the Appellant in March 2022. The complaint of the Respondent was disposed of by the POI vide ex-parte decision dated 21.03.2023, wherein the above arrears were cancelled.
2. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 21.03.2023 of the POI (hereinafter referred to as the “impugned decision”). In its appeal, the Appellant opposed the maintainability of the impugned decision, *inter-alia*, on the following grounds that the impugned decision is against the facts and law of the case; that the POI afforded relief beyond the prayer of the Respondent by cancelling 10817 units; that the POI neither considered the consumption history nor checked the metering equipment and decided the dispute on mere assumptions; that the said forum should thrash out the real cause before arriving at any decision; that the Respondent filed application after lapse of two and half years and that the impugned decision is liable to be set aside. In his application for condonation of delay, the Appellant contended that the POI rendered the ex-parte decision and the Respondent approached for implementation of the impugned decision on 05.08.2024,

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Mr. Q

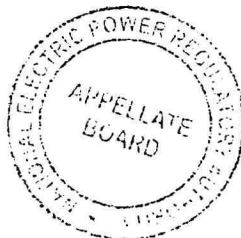


National Electric Power Regulatory Authority

thereafter certified copy of the said decision was obtained on 07.08.2024. The Appellant prayed for acceptance of the application for condonation of delay and for the decision on merits.

3. Notice dated 26.09.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which were filed on 11.10.2024. In the reply, the Respondent raised the preliminary objection regarding limitation and submitted that the Appeal is filed after lapse of one year and four months before the NEPRA, hence the same deserves dismissal being barred by time pursuant to the judgments of honorable Supreme Court of Pakistan reported as *PLD 2011 SC 657, PLD 2011 SC 174 and 2010 PLC (CS) 838*. The Respondent defended the impugned decision and prayed for upholding the same.
4. Hearing of the appeal was conducted at NEPRA Regional Office Lahore on 12.06.2025, wherein learned counsel for the Respondent was present, whereas the counsel for the Appellant tendered appearance lately. At the outset of the hearing, learned counsel for the Respondent raised the preliminary objection regarding limitation and argued that the appeal filed before the NEPRA is barred by time being filed after considerable lapse of time. He further submitted that the Appellants were well aware of the announcement of the impugned decision, as evident from the letter dated 21.05.2024, wherein the Deputy Manager directed the concerned officials to show cause to the court clerk. In support of his contention, learned counsel submitted the relevant documents. Learned counsel for the Respondent finally prayed for dismissal of the appeal on this sole ground. Subsequently, learned counsel for the Appellant appeared and reiterated the stance as contained in the application for the condonation of delay and contended that the lower forum passed the impugned decision without intimation to the parties and as the Appellant received the copy of the impugned decision and the present appeal was filed before NEPRA within 30 days as envisaged in Section 38(3) of the NEPRA Act. Learned counsel for the Appellant assured to submit the written arguments within seven days. Learned counsel finally pleaded that the application for condonation of delay be accepted and the appeal be heard on merits instead of technical grounds.
5. Having heard the arguments and the record perused. Following are our observations:
 - 5.1 While addressing the point of limitation raised by the Respondent, it is observed that the Appellant were well aware about the pronouncement of the impugned decision as evident from their letter dated 21.05.2024, wherein the Deputy Manager directed the concerned officials to defer the disputed bill of Rs.343,059/- till the filing of appeal and for issuance of show cause notice to the court clerk. Accordingly, the Appellant issued a provisional bill of Rs.10,220/-

M. Q

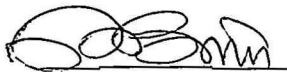


for May 2024 vide letter dated 22.05.2024. However, the Appellant obtained a copy of the impugned decision on 07.08.2024 after a lapse of seventy-eight (78) days. This shows gross negligence on the part of the Appellant while defending their case.

5.2 As per sub-section (3) of Section 38 of the NEPRA Act 1997, any person aggrieved by the decision of the POI may prefer an appeal to NEPRA within thirty days of receipt of the order. Further, it is supplemented with Regulation 4 of the NEPRA (Procedure for Filing Appeals) Regulations, 2012 (the "Appeal Procedure Regulations") which also states that the Appeal is required to be filed within 30 days of the receipt of the impugned decision of POI by the Appellant, however, a margin of 7 days' is provided in case of submission through registered post, and 3 days in case of submission of appeal through courier is given in the Appeal Procedure Regulations. Reliance in this regard is placed on judgment dated 25.04.2016 of the honorable Lahore High Court Lahore rendered in the Writ Petition Nos.16172/15, 1637/15, 14895/15, 13470/15, 29335/15, 19916/15, 11039/15, 16677/15, 19763/15, 29623/15, 13908/15 18195/15, 19762/15, 19882/15, 812/15 & 5119/15, wherein it was held that the POI is bound to transmit copy of the decision to the parties and the period of limitation is to be counted from the date of receipt of the copy of such decision, the relevant excerpt of the said judgment is reproduced below for the sake of convenience:

"12. The above discussion leads me to the irresistible conclusion that the Provincial Office of Inspections/Electric Inspector is bound to transmit the copy of the order to the aggrieved person through the modes provided under Regulation 4 of Regulation 2012 and in this way, the period of limitation for filing an appeal in terms of subsection (3) of section 38 will be calculated from the date of receipt of order."

6. In view of the foregoing discussion, we opined that an inordinate delay in filing the appeal before the NEPRA despite acknowledgment of the impugned decision is not condonable as no sufficient reasons have been given by the Appellant to justify the delay in filing the appeal. As such, the application for condonation of delay is rejected and the appeal filed before NEPRA is dismissed being barred by time.



Abid Hussain
Member/Advisor (CAD)



Naweed Illahi Sheikh
Convener/DG (CAD)



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

Dated: 15-08-2025

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