



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

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No. NEPRA/Appeal/118/2024/ 634

July 02, 2025

- | | |
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| 1. Imran Nadeem, S/o. Malik Muhammad Yousaf, R/o. House No. 137, Mohallah Ashiq Street, Jani Shah, Chah Miran, Lahore | 2. Chief Executive Officer, LESCO Ltd, 22-A, Queens Road, Lahore |
| 3. Syed Mumtaz Ali Shah Hamdani, Advocate Supreme Court, Al-Murtaza Centre, 2-Mozang Road, Lahore Cell No. 0300-4415223 | 4. Assistant Manager (Operation), LESCO Ltd, Chah Miran Sub Division, Lahore |
| 5. POI/Electric Inspector Lahore Region-I, Energy Department, Govt. of Punjab, Block No. 1, Irrigation Complex, Canal Bank, Dharampura, Lahore | |

Subject: **Appeal No.118/2024 (LESCO vs. Imran Nadeem) Against the Decision Dated 11.06.2024 of the Provincial Office of Inspection to Government of the Punjab Lahore Region-I, Lahore**

Please find enclosed herewith the decision of the Appellate Board dated 02.07.2025 (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.118/POI-2024

Lahore Electric Supply Company Limited

.....Appellant

Versus

Imran Nadeem S/o. Malik Muhammad Yousuf,

R/o. 137, Mohallah Ishaq Street, Janni Shah, Chah Miran, Lahore

.....Respondent

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

For the Appellant:

Syed Mumtaz Ali Shah Advocate

For the Respondent:

Nemo

DECISION

1. As per the facts of the case, Imran Nadeem (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.01-11153-0033301-U having sanctioned load of 1.22 kW and the applicable tariff category is A-1(a). The premises of the Respondent was checked by the Appellant on 17.08.2020, wherein the Respondent was found stealing electricity through tampering with the meter. The electricity of the Respondent was disconnected and FIR No.1290/2020 dated 09.10.2020 was registered against him on account of theft of electricity. Thereafter, a detection bill of Rs.165,309/- for 6,131 units for the period from February 2020 to July 2020 was raised against the billing account of the Respondent on the basis of connected load i.e. 5.088 kW and added to the bill for August 2020.
2. Being aggrieved with the above actions, the Respondent initially challenged the detection bill of Rs.165,309/- for 6,131 units for the period from February 2020 to July 2020 before the Civil Court Lahore, which was subsequently dismissed on 12.04.2023 for non-prosecution. Subsequently, the Respondent filed an application before the Provincial Office of Inspection, Lahore, Region-I, Lahore (hereinafter referred to as the “POI”) on 14.07.2023 and challenged the abovesaid detection bill. The complaint of the Respondent was disposed of by the POI vide decision dated 11.06.2024, wherein, the detection bill of Rs.165,309/- for 6,131 units for the period from February 2020 to July 2020 was cancelled and the Appellant was directed to revise

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the same for three months i.e. May 2020 to July 2020 on the basis of consumption of corresponding months of the year 2019 and average consumption of last eleven months.

3. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 11.06.2024 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 Respondent initially approached the Civil Court against the detection bill of Rs.165,309/-, which was subsequently dismissed by the Civil Court; that the POI ignored the fact and admitted the application, which is illegal, against the law and facts of the case; that the POI failed to consider the period of limitation for the application of the Respondent against the detection bill charged in August 2020; that the Respondent deposited whole amount of the detection bill but there is no permission of the POI, which shows that the Respondent willfully deposited the full amount and that the impugned decision is liable to be set aside. In his application for condonation of delay, the Appellant contended that the period of limitation be started from the date of the application filed before the Civil Court. The Appellant further contended that technicalities of limitation cannot be made as hurdles in the way of substantial justice. As per the Appellant, the time consumed on the wrong forum in good faith might be condoned in the interest of justice. According to the Appellant, the POI passed the impugned decision without intimation, therefore, negligence in the late filing of the appeal cannot be attributed. The Appellant finally pleaded for acceptance of the application for condonation of delay and decision of the case on merits instead of technicalities.
4. Notice dated 12.11.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which however were not filed.
5. Hearing of the appeal was conducted at NEPRA Regional Office Lahore on 25.04.2025, wherein learned counsel tendered appearance for the Appellant, and no one represented the Respondent. In response to the question of limitation raised by this forum, learned counsel for the Appellant 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, the present appeal was filed before the NEPRA. He pleaded that the application for condonation of delay be accepted and the appeal be heard on merits instead of technical grounds.
6. Having heard the arguments and the record perused. Following are our observations:
 - 6.1 While addressing the point of limitation raised by this forum, it is observed that the Appellant obtained a copy of the impugned decision dated 11.06.2024 on 13.09.2024 and the appeal was

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preferred before NEPRA on 01.11.2024 after a lapse of forty-eight days (48) days from the date of receipt of the impugned decision.


6.2 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."

7. 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: 02-07-2025