



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

NEPRA Office , Atta Turk Avenue (East), G5/1, Islamabad  
Tel. No. +92 051 2013200 Fax No. +92 051 2600030  
Website: [www.nepra.org.pk](http://www.nepra.org.pk) E-mail: [office@nepra.org.pk](mailto:office@nepra.org.pk)

No. NEPRA/AB/Appeal-120/POI-2018/1048-1053

May 10, 2019

1. Muhammad Usman Abid  
S/o. Allah Rakha,  
R/o. House No. 454, Mohallah Ansar colony,  
Near Raiway Crossing, Multan
2. Chief Executive Officer,  
MEPCO Ltd,  
MEPCO Complex, Khanewal Road,  
Multan
3. Sardar Mazhar Abbas Mahar  
Advocate High Court  
45-Zakariya Block, District Courts,  
Multan
4. Executive Engineer (Opr.)  
MEPCO Ltd,  
Shah Rukan-e-Alam Division,  
Multan
5. Sub Divisional Officer (Op),  
MEPCO Ltd,  
New Multan Sub Division,  
Multan
6. Electric Inspector  
Multan Region,  
249-G, Shah Ruken-e-Alam Colony,  
Phase II, Multan

Subject: Appeal Titled MEPCO Vs. Muhammad Usman Abid Against the Decision Dated 29.03.2018 Provincial Office of Inspection to Government of the Punjab Multan Region, Multan

Please find enclosed herewith the decision of the Appellate Board dated 08.05.2019, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above

No. NEPRA/AB/Appeal-120/POI-2018/1054

Forwarded for information please.

(Ikram Shakeel)

May 10, 2019

Assistant Director  
Appellate Board

1. Registrar



# National Electric Power Regulatory Authority

## Before Appellate Board

In the matter of

### Appeal No. 120/2018

Multan Electric Power Company Limited (MEPCO) .....Appellant

Versus

Muhammad Usman Abid, S/o. Allah Rakha, R/o. House No. 454,  
Mohallah Ansar Colony, Tehsil & District Multan .....Respondent

### APPEAL U/S 38 OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

#### For the appellant:

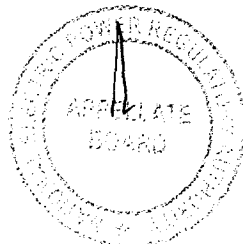
Sardar Mazhar Abbas Mahar Advocate  
Mr. Muhammad Azam Ali SDO

#### For the respondent:

Mr. Muhammad Usman Abid

### DECISION

1. Through this decision, appeal filed by Multan Electric Power Company Limited (hereinafter referred to as MEPCO) against the decision dated 29.03.2018 of Provincial Office of Inspection, Multan Region, Multan (hereinafter referred to as POI) is being disposed of. Brief facts are that the respondent is a domestic consumer of MEPCO having Ref. No 14-15192-1483002 with sanctioned load of 2 kW and governed under tariff A-1a. The meter of the respondent was checked on 05.04.2017 by M&T MEPCO and reportedly 1,522 units were found in





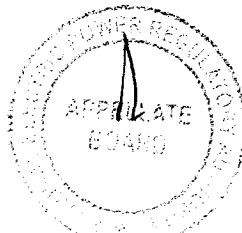
## National Electric Power Regulatory Authority

balance. Notice dated 08.05.2017 was issued to the respondent and a sum of Rs. 16,376/- for 1,522 units was charged as detection bill in June 2017 for the period September 2016 to February 2017.

2. The respondent being aggrieved with the above mentioned detection bill filed an application before POI on 08.08.2017 which was disposed of by POI vide its decision dated 29.03.2018 with the following conclusion:-

*“Summing up the aforesaid discussion, it is held that:*

- (i) The detection bill of Rs. 16,376/- for the cost of 1522-kWh units charged during 07/2017 is Null, Void & of no legal effect and the petitioner is not liable to pay the same.*
  - (ii) The Respondents are directed to withdraw the impugned detection amount and overhaul the account of the petitioner accordingly.”*
3. The appeal in hand has been filed by MEPCO against the above referred decision. During the course of hearing, a preliminary objection of limitation was raised on behalf of respondent. Learned Counsel for MEPCO replied that the time lost during the departmental process may be condoned and appeal be decided on merits.
  4. We have heard arguments of both the parties and examined record placed before us. POI decision dated 29.03.2018 was admittedly received by MEPCO on 16.04.2018 and the appeal before NEPRA was filed on 04.06.2018, i.e., after lapse of 49 days. Under section 38 (3) of NEPRA Act, 1997, the time allowed for





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filing appeal before NEPRA is 30 days from the receipt of the impugned decision. In the instant case, the appeal was filed after lapse of 49 days which is obviously time barred. Moreover the ground and the reasons given by the appellant in its application for condonation of the delay are not convincing. MEPCO being a company incorporated under Companies Ordinance 1984 is under obligations to carry out its business in accordance with law and due diligence must be taken for exercising its legal rights and availing legal remedies before the legal forums within the specific time.

5. From the position explained above, it is evident that the application for condonation of the delay filed by the appellant does not contain sufficient reasons, hence rejected and consequently the appeal is dismissed being time barred.

Muhammad Qamar-uz-Zaman  
Member

Muhammad Shafique  
Member

Nadir Ali Khoso  
Convener

Dated: 08.05.2019

