



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

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No. NEPRA/Appeal/103/2024 & 138/2024/709

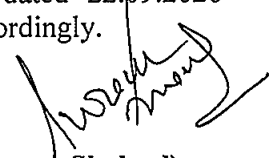
September 22, 2026

- | | |
|---|---|
| 1. Ikram-ul-Haq,
Prop: Sutloge Ice Factory,
Previously located in Chak No. 93/WB,
Multan Road, Tehsil & District Vehari,
(Through Rizwan Akbar & Muhammad Raza),
S/o. Sardar Muhammad, Ex-Owners,
Postal Address: House No. 24, Madina Colony,
Opposite Gulzar Hospital, Vehari
Cell No. 0301-2079909 | 2. Chief Executive Officer,
MEPCO Ltd,
MEPCO Complex, Khanewal Road,
Multan |
| 3. Malik Mureed Hussain Makwal,
Advocate High Court,
15-New Block, District Courts,
Multan
Cell No. 0301-7510406 | 4. Muhammad Aslam Siddiqui,
Advocate High Court,
123-Zikriya Block, District Courts,
Multan
Cell No. 0300-6372028 |
| 5. Executive Engineer (Operation),
MEPCO Ltd,
Vehari Division, Vehari | 6. Sub Divisional Officer (Op),
MEPCO Ltd,
Thingi Sub Division,
Vehari |
| 7. POI/Electric Inspector,
Multan Region,
Energy Department, Govt. of Punjab,
249-G, Shah Rukan-e-Alam Colony,
Phase-II, Multan | |

Subject: **Appeal No.103/2024 (Ikram-ul-Haq vs. MEPCO) and Appeal No.138/2024 (MEPCO vs. Ikram-ul-Haq) Against the Decision Dated 30.08.2024 of the Provincial Office of Inspection to Government of the Punjab Multan Region, Multan**

Please find enclosed herewith the decision of the Appellate Board dated 22.09.2026 (06 pages), regarding the subject matter, for information and necessary action, accordingly.

Encl: As Above


(Ikram Shakeel)
Additional 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 Appellate Board

In the matter of

Appeal No.138/POI-2024

Multan Electric Power Company Limited Appellant

Versus

Ikram-ul-Haq, Prop: Sutloge Ice Factory, House No. 24,
Madina Colony, Opposite Gulzar Hospital, Vehari Respondent

&

Appeal No.103/POI-2024

Ikram-ul-Haq, Prop: Sutloge Ice Factory, House No. 24,
Madina Colony, Opposite Gulzar Hospital, Vehari Appellant

Versus

Multan Electric Power Company Limited Respondent

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

For MEPCO:

Malik Mureed Hussain Makwal Advocate

For the Consumer:

Mr. Muhammad Aslam Siddiqui Advocate

DECISION

1. Through this decision, crossed appeals filed by Multan Electric Power Company Limited (hereinafter referred to as the "MEPCO") and Mr. Ikram-ul-Haq (hereinafter referred to as the "Consumer") against the decision dated 30.08.2024 of the Provincial Office of Inspection, Multan Region, Multan (hereinafter referred to as the "POI") are being disposed of.
2. Brief facts of the case are that the Consumer is an industrial consumer of MEPCO bearing Ref No.36-15313-00033314 having a sanctioned load of 95 kW, and the applicable tariff category is B-2. Billing meter of the Consumer was found 4.35 % slow during M&T checking dated 02.05.2003, therefore, Multiplication Factor (the "M.F") was raised w.e.f June 2003 and onwards. In furtherance, a detection bill of Rs.9,557/- for 1,206 units for two months i.e. April 2003 and May 2003 was charged to the Consumer @ 4.35% slowness of the meter and





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added to the bill for August 2003. During the subsequent comparison with check meter, 5.04% slowness confirmed in the impugned meter of the Consumer, which was replaced with a new meter by MEPCO on 06.10.2003.

3. Being aggrieved with the above actions of MEPCO, the Consumer filed civil suit before the Civil Court and challenged the arrears of Rs.760,482/-. The Honorable Civil Court vide order dated 30.07.2003 dismissed the civil suit against which the Consumer filed an appeal before the Addl. Session Judge, Vehari on 01.11.2003. The Honorable Court directed the Consumer to pay Rs.642,000/- which however were not paid. The Consumer filed Writ Petition No.2944-2004 before the Honorable Lahore High Court Multan Bench Multan against the above-said arrears. Honorable Lahore High Court Multan Bench vide order dated 17.06.2004 dismissed the above-said writ petition of the Consumer due to non-prosecution. Consequently, MEPCO removed the metering equipment along with transformer on 27.06.2004 and fed PDISC in November 2004. Due to default in making payment, the arrears accumulated to the tune of Rs.998,198/- till December 2004. MEPCO issued final recovery notice vide memo No.489 dated 03.04.2013 to the Consumer regarding recovery of outstanding dues of Rs.998,198/- against the P-DISC connection. MEPCO issued another Notice vide memo No.4352-56 dated 22.06.2021 regarding non-payment of dues of Rs.998,198/- against disputed connection with the direction to pay the above-said amount within ten (10) days, failing which domestic connections bearing Ref No.07-15312-0697700 and Ref No.07-15312-0697701 running in the jurisdiction of MEPCO Faisal Town subdivision will be disconnected and defaulted amount be shifted to these running connections.
4. The Consumer filed civil suit before the Civil Judge 1st class, Vehari against the above actions of the Appellant. Subsequently, the Honorable Civil Judge 1st Class, Vehari dismissed the civil suit as withdrawn by the Consumer vide order dated 22.11.2021. Finally the Consumer approached POI on 24.11.2021 and prayed for cancellation of arrears of Rs.998,198/-. The POI vide decision dated 30.08.2024 cancelled the amount of Rs.562,953/- from the impugned arrears bill of Rs.998,198/-. As per POI decision, the Consumer was directed to pay an amount of Rs.435,735/- in six installments w.e.f. October 2024.
5. Being dissatisfied with the impugned decision of POI, both parties filed instant appeals before NEPRA under Section 38(3) of the NEPRA Act. In the Appeal No.103/POI-2024, the Consumer opposed the impugned decision *inter alia*, on the main grounds that the arrears of Rs.642,000/- were pending till December 2003 and the factory was dismantled since long;

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that the Honorable High Court vide order dated 10.12.2003 directed the Consumer to pay the above-said amount in two installments; that the total payment of Rs.756,665/- [Rs.293,718/- , Rs.62,957 and Rs.200,000/- twice] were made through bank drafts; that MEPCO issued notice dated 22.06.2021 for recovery of dues, which were initially assailed before the Civil Court Vehari; that the Consumer recorded statement for withdrawal of civil suit on 22.11.2021, thereafter approached the POI; that claim of MEPCO with regard to arrears of Rs.998,198/- despite above-said payment through bank drafts and threats to disconnect electric supply of domestic connection are totally illegally, unlawful and against the ground realities; that the impugned decision to the extent of recovery of Rs.435,735/- is against the law and facts of the case; that an amount of Rs.991,522/- was excessively paid, hence no dues are recoverable from the Consumer; that the impugned decision to the extent of imposing Rs.435,735/- be declared as illegal and MEPCO be restrained from recovery of the disconnection of electric supply of the domestic connections bearing Ref No.07-15312-0697700 and Ref No.07-15312-0697701.

6. In its appeal No.138/POI-2024, MEPCO opposed the impugned decision on the grounds that the Consumer himself admitted payable amount of Rs.642,000/- instead of Rs.998,198/- and he was directed to pay the said amount in four installments; that above-said arrears are justified as per billing statement; that payments of Rs.200,000/- made twice were not transferred to the account of MEPCO; that the Consumer initially challenged the arrears before the Civil Court; that after litigation before various forums, the Honorable Lahore High Court vide order dated 17.06.2004 dismissed the writ petition No.3297/2004 titled "Satloj Ice Factory Vs. MEPCO" in limine and that the impugned decision is liable to be set aside.
7. Notices were sent to the Consumer and MEPCO for filing reply/para-wise comments to the cross-appeals within ten (10) days. Both parties submitted their replies/para-wise comments against the counter appeals.
8. Hearing in the matter of the subject Appeals was fixed for 23.06.2026 at Multan and accordingly, the notices dated 10.06.2026 were sent to the parties (MEPCO and the Consumer) to attend the hearing. As per schedule, hearing of the appeal was conducted at the NEPRA Regional Office Multan, which was attended by the counsel for MEPCO and the Consumer. Learned counsel for the Consumer repeated the same contentions as given in memo of the Appeal No.103/POI-2024 and contended that the dispute of billing started since June 2003 and the arrears of Rs.998,198/- accumulated due to irregular billing done by MEPCO. Learned counsel for the Consumer contended that the Consumer made payment of

Mr. [Signature]





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Rs.765,000/- against the impugned arrears through bank drafts, despite the fact that MEPCO demanded the arrears of Rs.998,198/- through notice dated 22.06.2021, which was initially challenged before the Civil Court and subsequently before the POI. As per learned counsel for the Consumer, the above-said premises has been sold out to another owner and MEPCO was approached time and again for change of name of connection in the name of present owner, instead of that MEPCO has threatened to disconnect electric supply of domestic connections of the Consumer. He opposed the maintainability of the impugned decision and argued that no dues are recoverable against the Consumer as he already paid excessive amount to MEPCO. Learned counsel for the Consumer finally prayed for setting aside the impugned decision to the extent of recovery of arrears of Rs.435,000/- being illegal and unjustified. Learned counsel for MEPCO rebutted the version of learned counsel for the Consumer and averred that the above-said arrears pertaining to the bills charged as per actual consumption recorded by the meter. Learned counsel for MEPCO further contended that the Consumer defaulted in making payments of bills and challenged the same before civil court, after litigation before different forums, Honorable Lahore High Court vide order dated 17.06.2004 dismissed the writ petition of the Consumer, which has attained finality being unchallenged before the Superior Court. Learned counsel for MEPCO defended the charging of impugned arrears and prayed for setting aside the impugned decision to the extent of cancellation of amount of Rs.562,953/-.

9. Arguments heard and the record perused. Following are our observations:

- i. During an inspection carried out by the M&T staff of MEPCO on 02.05.2003, the Consumer's meter was found running 4.35% slow. Consequently, the MF was revised with effect from the billing month of June 2003 onwards. Furthermore, a detection bill amounting to Rs.9,557/-, comprising 1,206 units pertaining to the billing months of April 2003 and May 2003, was raised on account of the 4.35% slowness of the meter and incorporated into the Consumer's bill for August 2003. Subsequently, upon comparison with a check meter, the impugned meter was found to be 5.04% slow. Accordingly, MEPCO replaced the impugned meter with a new meter on 06.10.2003.
- ii. The Consumer instituted a civil suit before the learned Civil Court, challenging the recovery of arrears amounting to Rs.760,482/-. The learned Civil Court, vide order dated 30.07.2003, dismissed the suit. MEPCO fed P-DISC to the Consumer's connection in November 2004 and removed metering equipment along with transformer.





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- iii. After litigation before different forums, the Consumer filed Writ Petitions No.2944 of 2004 before the Honorable Lahore High Court, Multan Bench, challenging the impugned arrears. The Honorable High Court, vide order dated 17.06.2004, dismissed the above-said writ petition due to non-prosecution. The Consumer did not challenge the above-said order of Honorable High Court before the competent court of law, which has attained finality.
- iv. This whole scenario indicates that the Consumer failed to comply with the orders of the Honorable Civil and High Courts in true spirit and shows lack of interest to defend his case. Thus, the arrears of Rs.998,198/- are recoverable against the premises till December 2004. Even otherwise, the POI lacks the jurisdiction in the instant case being time barred complaint filed in the year 2021 after lapse of seventeen years against the disputed arrears of the year 2004, which is not consistent with Article 181 of the Limitation Act, 1908. In this regard, reliance is placed on the judgment of the Honorable Lahore High Court in the case titled "Muhammad Hanif vs. NEPRA" reported as *2018 CLC 1689 Lahore*, wherein it is held as under;

"The petitioner at the most can invoke Article 181 of The Limitation Act, 1908 which is the residuary provision and caters the issue of limitation where no period of limitation is provided elsewhere in the Schedule of The Limitation Act 1908 or under section 48 of The Code of Civil Procedure (V of 1908) Article 181 of The Limitation Act 1908 prescribes three years for filing an application that applies when the right to apply accrues as prescribed in Article 181 of Limitation Act, 1908.

- v. Foregoing in view, it is opined that the complaint filed by the Consumer before the POI is barred by time; therefore, the impugned decision of the POI dated 30.08.2024 is set aside, being without the force of law.
- vi. The question arises, who would be responsible for payment of disputed arrears of Rs.998,198/-. In such cases, Clause 8.2.8 of the CSM-2025 is relevant, which is reproduced below for the sake of convenience:

8.2.8 If more than one connection exists in the name of single owner and any of the connections defaults, and the DISCO allots permanent disconnection code as per procedure, in such a case the DISCO may transfer the outstanding dues of the defaulting connection to the other running connection(s) of the same owner for recovery purposes. "





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vii. As envisaged above, where one or more connections are installed in the name of same owner and any of the connections defaulted in payments, MEPCO may shift the arrears of the defaulted connection to other running connections of the same owner for recovery purposes.

10. In view of what has been stated above, we are of the considered view that:

- i. Honorable High Court vide order dated 17.06.2004, dismissed the writ petition No.2944 of 2004 due to non-prosecution. The Consumer did not challenge the above-said order of Honorable High Court before the higher competent forum, which has attained finality.
- ii. Thus the arrears of Rs.998,198/- accumulated till December 2024 against the defaulted connection bearing Ref No.36-15313-00033314 are transferable to the running connection of same Consumer for recovery purpose, pursuant to Clause 8.2.8 of the CSM-2025.

11. Both appeals are disposed of in above terms.

Abid Hussain
Member/Advisor (CAD)

Naweed Illahi Sheikh
Convener/DG (CAD)

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

Dated: 22-09-2026

