



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

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No. NEPRA/Appeal/128/2024/1238

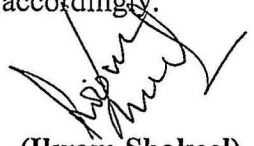
November 27, 2025

- | | |
|--|---|
| 1. Nawabzada Sanaullah Khan,
S/o. Aman Ullah Khan,
Being occupier consumer of electricity
connection in the name of Muhammad Asif,
S/o. Mian Muhammad Rafi,
R/o. House No. 1/083-N, Street No. 04,
Abu Bakar Block, Garden Town, Multan
Cell No. 0300-6114846 | 2. Chief Executive Officer,
MEPCO Ltd,
MEPCO Complex, Khanewal Road,
Multan |
| 3. Makhdoom Sadaqat Hussain Shah,
Advocate High Court,
730-Amratsari Block,
District Courts, Multan
Cell No. 0300-6884245 | 4. Executive Engineer (Operation),
MEPCO Ltd,
City Division,
Multan |
| 5. Sub Divisional Officer (Operation),
MEPCO Ltd,
Garden Town Sub Division,
Multan | 6. POI/Electric Inspector,
Multan Region,
Energy Department, Govt. of Punjab,
249-G, Shah Rukan-e-Alam Colony,
Phase-II, Multan |

Subject: **Appeal No.128/2024 (MEPCO Vs. Nawabzada Sanaullah Khan) Against the Decision Dated 14.10.2024 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 27.11.2025 (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.128/POI-2024

Multan Electric Power Company Limited

.....Appellant

Versus

Nawabzada Sanaullah Khan S/o. Amanullah Khan,
House No.1/083-N, Street No.04, Abu Baker Block,
Garden Town, Multan

.....Respondent

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

For the Appellant:

Mr. Abdul Basit Muneer Advocate

For the Respondent:

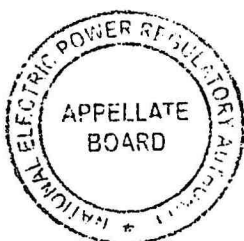
Nawabzada Sanaullah Khan

DECISION

1. Brief facts of the case are that Nawabzada Sanaullah Khan (hereinafter referred to as the "Respondent") is a domestic consumer of Multan Electric Power Company Limited (hereinafter referred to as the "Appellant") bearing Ref No.18-15138-0052306-U having sanctioned load of 2 kW and the applicable tariff category is A-1(a). The Respondent filed an application dated 13.02.2024 before the Provincial Office of Inspection, Multan, Region, Multan (hereinafter referred to as the "POI") and challenged the detection bill of Rs.190,555/- against 6,223 units for two months i.e. August 2021 to September 2021, charged by the Appellant on account of theft of electricity. The complaint of the Respondent was disposed of by the POI vide decision dated 14.10.2024, wherein the above detection bill was cancelled and the Appellant was directed to charge the revised detection bill of 1,195 units to the Respondent.
2. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 14.10.2024 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 POI has failed to see the case in letter and spirit and the policy formulated in CSM; that the factual controversies could only be resolved through the documentary evidences and such matter falls exclusively within domain of civil court; that the POI did not apply judicious mind while deciding the case; that the POI did not consider the facts and decided the petition without law and that the impugned decision is liable to be set aside.

Appeal No.128/POI-2024

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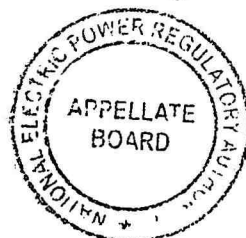


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3. Notice dated 12.12.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which were filed on 27.01.2025. In the reply, the Respondent raised the preliminary objection regarding limitation and submitted that the Appeal was filed after a lapse of 09 days before the NEPRA, hence the same deserves dismissal, being barred by time. The Respondent defended the impugned decision for cancellation of the detection bill of 6,223 units and contended that the POI has exclusive jurisdiction in the instant case of theft of electricity, pursuant to the judgment of the honorable Supreme Court of Pakistan reported as *PLD 2012 SC 371*. The Respondent defended the impugned decision and prayed for upholding the same.
4. Hearing of the appeal was conducted at NEPRA Regional Office Multan on 07.02.2025, wherein the Respondent was present, whereas no one tendered appearance for the Appellant. In order to provide an opportunity for hearing, the case was again fixed at NEPRA Regional Office Multan on 28.10.2025, wherein the Respondent appeared in person, whereas proxy counsel represented the Appellant. At the outset of the hearing, the Respondent repeated 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; however, they failed to file the appeal within the prescribed time limit as envisaged in Section 38(3) of the NEPRA Act. The Respondent finally prayed for dismissal of the appeal on this sole ground. On the contrary, proxy counsel for the Appellant assured to submit written arguments with regard to the point of limitation within one week.
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 obtained a copy of the impugned decision dated 14.10.2024 on 17.10.2024, and the appeal was filed before the NEPRA on 29.11.2024 after a lapse of forty-three (43) days. The Appellant neither filed an application for condonation of delay nor appeared before this forum despite affording repeated opportunities for hearings dated 11.01.2025, 07.02.2025, and 28.10.2025. Proxy counsel appeared on 28.10.2025 and assured for submission of written arguments within one week; however, the Appellant failed to do so. 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



11.6



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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 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: 27/11/2025

