



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

NEPRA Office , Ata 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/Appeal/051/POI/2022/ 1032

September 22, 2022

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| 1. Muhammad Mustafa,<br>S/o. Muhammad Rafique,<br>R/o. Dera Bawry, Bashmula Mahndi Abad,<br>Vanike Tarar, Tehsil & District Hafizabad    | 2. Chief Executive Officer,<br>GEPCO Ltd,<br>565-A, Model Town,<br>G. T. Road, Gujranwala                  |
| 3. Saeed Ahmed Bhatti,<br>Advocate High Court,<br>66-Khyber Block, Allama Iqbal Town,<br>Lahore  | 4. Ch. Ansar Mehmood Dhothar,<br>Advocate High Court,<br>Judicial Complex, Hafizabad                       |
| 5. Executive Engineer,<br>GEPCO Ltd,<br>Jalalpur Bhattian Division,<br>District Hafizabad  | 6. Sub Divisional Officer,<br>GEPCO Ltd,<br>Vanike Tarar Sub Division,<br>Vanike Tarar, District Hafizabad |
| 7. POI/Electric Inspector,<br>Gujranwala Region,<br>Energy Department, Govt. of Punjab,<br>Munir Chowk, Near Kacheri Road,<br>Gujranwala |  |

Subject: **Appeal Titled GEPCO Vs. Muhammad Mustafa Against the Decision Dated 24.01.2022 of the Provincial Office of Inspection to Government of the Punjab Gujranwala Region, Gujranwala**

Please find enclosed herewith the decision of the Appellate Board dated 20.09.2022, regarding the subject matter, for information and necessary action accordingly.

Encl: **As Above**

**(Ikram Shakeel)**  
**Deputy Director (M&E)/**  
**Appellate Board**



# National Electric Power Regulatory Authority

## Before The Appellate Board

In the matter of

### Appeal No.051/POI-2022

Gujranwala Electric Power Company Limited

.....Appellant

Versus

Muhammad Mustafa, S/o Muhammad Rafique,  
R/o Dera Bawry, Bashmula Mahndi Abad, Vanike Tarar,  
Tehsil & District Hafizabad

.....Respondent

**APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION,  
TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997  
AGAINST THE INTERIM ORDER DATED 24.01.2022 PASSED BY THE  
PROVINCIAL OFFICE OF INSPECTION GUJRANWALA REGION, GUJRANWALA**

For the Appellant:

Mr. Saeed Ahmed Bhatti Advocate

For the Respondent:

Nemo

## DECISION

1. As per facts of the case, Mr. Muhammad Mustafa (hereinafter referred to as the “Respondent”) is an industrial consumer of GEPCO (hereinafter referred to as the “Appellant”) bearing Ref No.28-12254-0796300 with a sanctioned load of 320 kW and the applicable tariff category is B-2(b). The Respondent filed two applications dated 12.08.2021 and 24.02.2022 before the Provincial Office of Inspection, Gujranwala Region, Gujranwala (the “POI”) and challenged the detection bill of Rs.12,218,680/- and the bill of Rs.106,115/- for December 2021. The POI vide interim order dated 24.01.2022 held the above-disputed bills in abeyance till the final decision of the case. The relevant portion of the interim order is reproduced below:

*“The petitioner has challenged the bill for 12/2021 amounting to*



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*Rs.1,06,115/- and the detection bill amounting to Rs. 1,22,18,680/- both issued on 05-01-2022 showing the billing month as 12/2021 charged on the alleged theft of energy. The petitioner alleged that the challenged above said bills are excessive and illegal as he has already raised the objection on the checking report dated 05-10-2021 before this forum/POI vide application dated 14-10-2021 whose copy had been provided to the court clerk of the respondent. The application has been admitted for hearing and the above-challenged bill for 12/2021 and D/Bill are declared as disputed, and recovery of the impugned bill for 12/2021 for **Rs. 1,06,115/-** and D/Bill of **Rs.1,22,18,680/-** are held-in-abeyance till decision. The date of hearing is fixed as 09-02-2022. It is herewith directed through this interim order:-*

- i. Not to recover the above-said impugned bill for 12/2021 and detection bill (held-in-abeyance) and defer/set aside both the bill for 12/2021 & the impugned D/Bill till decision.*
  - ii. to attend this office on **09-02-2022 at 10.00 AM** along with written reply of the petition and all supporting documents qua copy of **checking report, D/Bill proforma and computerized consumption data** to plead the case either in person or through counsel."*
2. Through the instant appeal, the Appellant has challenged the above-referred interim order of the POI (hereinafter referred to as the "impugned interim order") before the NEPRA.

### 3. Proceedings by the Appellate Board

Upon filing of the instant appeal, a Notice dated 26.04.2022 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which were filed by the Respondent on 15.06.2022.

### 4. Hearing

- 4.1 Hearing in the matter of the subject Appeal was fixed for 02.09.2022 at Islamabad and accordingly, the notices dated 26.08.2022 were issued to the parties (i.e. the Appellant and the Respondent) to attend the hearing. As per schedule, hearing of the appeal was conducted at the NEPRA Head Office Islamabad on 02.09.2022 in which



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learned counsel appeared for the Appellant and no one represented the Respondent. At the beginning of the hearing, learned counsel for the Appellant submitted that the present appeal was filed by the Appellant before the NEPRA against the impugned interim order of the POI, wherein the Appellant was restrained from the recovery of the detection bill of Rs.12,218,680/- and the bill of Rs.106,115/- for December 2021 till the disposal of the case. As per learned counsel for the Appellant, the POI pronounced its final decision on 12.04.2022, as such the impugned interim order became infructuous. He prayed for the disposal of the appeal accordingly. There was no representation for the Respondent for the rebuttal of the version of learned counsel for the Appellant. Therefore, we are convinced with the contention of learned counsel for the Appellant that the impugned interim order of the POI became null and void after the pronouncement of the final decision dated 12.04.2022 by the said forum in the instant case.

5. The appeal is disposed of in the above terms.

Syed Zawar Haider  
Member

Muhammad Irfan-ul-Haq  
Member

Abid Hussain  
Convener

Dated: 20/08/2022