



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

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No. NEPRA/AB/Appeal/038/POI/2020/ 745


July 01, 2022

1. Ch. Shahid Mehmood,
S/o. Muhammad Latif,
R/o. Asim Town, Near Railway Line,
Harbanspura, Lahore
2. Chief Executive Officer,
LESCO Ltd, 22-A,
Queens Road, Lahore
3. Syed Kashif Ali Bukhari,
Advocate High Court,
170-Ravi Park, Lahore
4. Muhammad Mukhtar Nadeem Ch,
Advocate High Court,
Nadeem Law Firm, Al-Qadar Centre,
Second Floor, 1-Mozang Road, Lahore
5. Sub Divisional Officer (Operation),
LESCO Ltd,
Taj Bagh Sub Division,
Lahore

Subject: **Appeal Titled LESCO Vs. Ch. Shahid Mehmood Against the Decision Dated 26.11.2019 of the Provincial Office of Inspection to Government of the Punjab Lahore Region, Lahore**

Please find enclosed herewith the order of the Appellate Board dated 30.06.2022, regarding the subject matter, for information and necessary action accordingly.

Encl: **As Above**


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

Forwarded for information please.

1. Additional Director (IT) –for uploading the decision on NEPRA website



National Electric Power Regulatory Authority

Before The Appellate Board

In the matter of

Appeal No. 038/2020

Lahore Electric Supply Company LimitedAppellant

Versus

Ch. Shahid Mehmood S/o Muhammad Latif, R/o Asim Town,
Near Railway Line, Harbanspura, LahoreRespondent

Present:

For the Appellant:

Mr. Kashif Ali Bukhari Advocate

For the Respondent:

Mr. Mukhtar Nadeen Ch. Advocate

Ch. Shahid Mehmood

Application for Restoration of Appeal Dismissed in Default on 10.03.2022

1. Subject application has been filed on behalf of LESCO seeking restoration of the appeal, which was dismissed on 10.03.2022 due to non-prosecution under Regulation 11 (1) of the NEPRA (Procedure for Filing appeals) Regulations, 2012. In the said application, learned counsel for the Appellant LESCO submitted that the appeal was dismissed by the learned NEPRA Appellate Board due to his late arrival at the NEPRA Regional Office, Lahore at 11:30 am. Learned counsel for the Appellant LESCO prayed that the appeal may be restored in the best interest of justice.
2. In order to decide the fate of the application of LESCO for restoration of appeal, the hearing was fixed at NEPRA Head Office, Islamabad on 02.06.2022 for which notice dated 26.05.2022 was issued to both the parties. However, both the parties

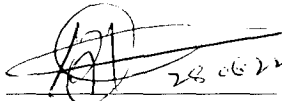



National Electric Power Regulatory Authority


failed to appear before the NEPRA on the said date, therefore the hearing was adjourned.

3. Thereafter, the hearing was fixed at the NEPRA Regional Office Lahore on 16.06.2022, which was attended by counsels for both parties. Learned counsel for LESCO reiterated its stance for restoration of the appeal and averred that during his engagement before the honorable Lahore High Court at Lahore, he arrived late before the Appellate Board, however, the appeal was dismissed on 10.03.2022 without providing an opportunity of hearing to the Appellant LESCO. Learned counsel for the Appellant prayed that the appeal be restored and the matter be decided on merits after adducing the arguments of both parties. On the contrary, learned counsel for the Respondent opposed the version of the learned counsel for the LESCO and argued that the counsel for the Appellant should be vigilant on the date of hearing but he remained absent despite repeated calls by the NEPRA. Learned counsel for the Respondent pleaded that the application for the restoration of appeal filed by LESCO be rejected and the decision dated 10.03.2022 of the NEPRA for dismissal of the appeal be maintained.

4. In order to give a fair chance to the Appellant and in the interest of justice, the appeal is restored under Regulation 11 (1) of the NEPRA (Procedure for Filing Appeals) Regulations, 2012 with the direction to both the parties to remain vigilant and make sure to attend hearing whenever scheduled next time.


Syed Zawar Haider
Member


Abid Hussain
Convener


Muhammad Irfan-ul-Haq
Member

Dated: 30.06.2022