



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

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No. NEPRA/Appeal/046/2023/48

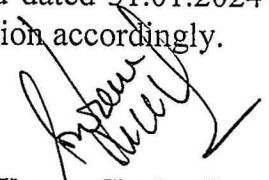
January 31, 2024

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|---|--|
| 1. Zulfiqar Ali,<br>S/o. Muhammad Ali,<br>R/o. House No. 10, Street No. 19/A,<br>Mohallah Mian Sohna, Chah Miran,<br>Lahore | 2. Chief Executive Officer,<br>LESCO Ltd,<br>22-A, Queens Road,<br>Lahore  |
| 3. Saeed Ahmed Bhatti,<br>Advocate High Court,<br>66-Khyber Block, Allama Iqbal Town,<br>Lahore                             | 4. C. M. Sarwar,<br>Advocate Supreme Court of Pakistan,<br>1 <sup>st</sup> Floor, Gardee Trust Building No. 2,<br>Thornton Road, Lahore                  |
| 5. Sub Divisional Officer,<br>LESCO Ltd,<br>Chah Miran Sub Division,<br>Lahore  | 6. POI/Electric Inspector<br>Lahore Region, Energy Department,<br>Govt. of Punjab, Block No. 1,<br>Irrigation Complex, Canal Bank,<br>Dharampura, Lahore |

Subject: **Appeal No.046/2023 (LESCO Vs. Zulfiqar Ali) Against the Decision Dated 28.02.2023 of the Provincial Office of Inspection to Government of the Punjab Lahore Region, Lahore**

Please find enclosed herewith the decision of the Appellate Board dated 31.01.2024 (02 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 on NEPRA website



# National Electric Power Regulatory Authority

## Before Appellate Board

In the matter of

## Appeal No. 046/POI-2023

Lahore Electric Supply Company Limited

.....Appellant

Versus

Zulfiqar Ali S/o. Muhammad Ali,  
R/o. House No.10, Street No.19-A, Mohallah Mian Sohna,  
Chahmira Lahore

.....Respondent

For the Appellant:

Mr. Saeed Ahmed Bhatti Advocate

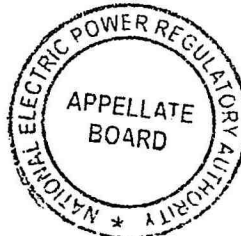
For the Respondent:

Mr. Zulfiqar Ali

## ORDER

1. The appeal was heard at the NEPRA Regional Office Lahore on 19.01.2024 in which both parties were present. At the outset of the hearing, the Respondent raised preliminary objection for limitation and argued that the appeal is time-barred, since the POI announced the impugned decision on 28.02.2023, whereas the Appellant filed the instant appeal before NEPRA on 19.04.2023 after a lapse of fifty (50) days from the date of announcement of the impugned decision. The Respondent prayed for the dismissal of the appeal being filed after the prescribed time limit of 30 days. In response to the objection of limitation raised by the Respondent, learned counsel for the Appellant replied that copy of the impugned decision dated 28.02.2023 was received by the Appellant on 31.03.2023, and the appeal was filed on 19.04.2023 within thirty (30) days of receipt of the impugned decision as per Section 38(3) of the NEPRA Act. Learned counsel for the Appellant relied upon the judgment of the honorable Lahore High Court Lahore cited as 2016 YLR 1916, wherein it was held that the POI is obligated to send a copy of the impugned decision to the parties and the time of limitation starts from the date of receipt of the impugned decision. Learned counsel for the Appellant finally prayed for the decision on merits.

Appeal No.046-2023



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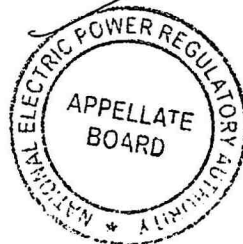
## National Electric Power Regulatory Authority

2. While considering the preliminary objection of limitation raised by the Respondent, it is noted that the Appellant applied for the copy of the impugned decision dated 28.02.2023 on 31.03.2023, which was delivered by the POI on the same date i.e. 31.03.2023. The Appellant filed the appeal before the NEPRA on 19.04.2023 which is within thirty (30) days of the receipt of the impugned decision as per Section 38 of the NEPRA Act, 1997. There is no force in the arguments of the Respondent that the time of limitation starts from the date of announcement. Reliance in this regard is placed on the judgement of the honorable Lahore High Court Lahore cited as 2016 YLR 1916, wherein it was held that the POI is required to send the copy of the impugned decision to the parties and the period of limitation for filing the appeal will start from the date of receipt of the impugned decision.
3. In view of the above, the objection of the Respondent regarding limitation is not valid and, therefore dismissed. The appeal to come up for the hearing on merits on the next date to be intimated through notice.

Abid Hussain  
Member/Advisor (CAD)

Dated: 31-01-2024

Naweed Illahi Sheikh  
Convener/DG (CAD)



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