



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

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No. NEPRA/Appeal/011/2024/578


July 11, 2024

1. Shahid Nadeem,  
S/o. Waryam,  
R/o. Mohlanwal Post Office Chung,  
Tehsil Raiwind, District Lahore
2. Chief Executive Officer,  
LESCO Ltd,  
22-A, Queens Road,  
Lahore
3. Abid Hussain Chaudhary,  
Advocate High Court,  
Office: 25/26, 3<sup>rd</sup> Floor,  
Munawar Chambers, 1-Mozang Road,  
Lahore  
Cell No. 0333-4216099
4. Assistant Manager (Operation),  
LESCO Ltd,  
Chung Sub Division,  
Lahore
5. POI/Electric Inspector,  
Lahore Region-II,  
Energy Department, Govt. of Punjab,  
342-B, Near Allah Hoo Chowk,  
Johar Town, Lahore  
Phone No. 042-99333968

Subject: Appeal No.011/2024 (LESCO Vs. Shahid Nadeem) Against the Decision Dated 13.09.2023 of the Provincial Office of Inspection to Government of the Punjab Lahore Region-II, Lahore

Please find enclosed herewith the decision of the Appellate Board dated 11.07.2024 (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 on NEPRA website



# National Electric Power Regulatory Authority

## Before The Appellate Board

In the matter of

### Appeal No.011/POI-2024

Lahore Electric Supply Company Limited

.....Appellant

Versus

Shahid Nadeem S/o. Waryam, R/o. Mohlanwala Post Office  
Chung, Tehsil Raiwind, Lahore

.....Respondent

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

For the Appellant:

Mr. Abid Hussain Advocate

For the Respondent:

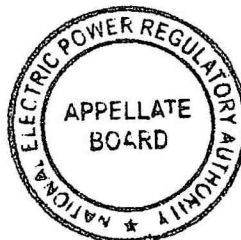
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## DECISION

1. Brief facts of the case are that Shahid Nadeem (hereinafter referred to as the “Respondent”) is an agricultural consumer of Lahore Electric Supply Company Limited (hereinafter referred to as the “Appellant”) bearing Ref No.45-11264-0875403-U having sanctioned load of 15 kW and the applicable tariff category is D-2(b). The Respondent filed a complaint before the Provincial Office of Inspection, Lahore Region, Lahore (hereinafter referred to as the “POI”) on 01.03.2023 and challenged the arrears of Rs.225,647/- pertaining to the period from March 2022 to February 2023. The matter was decided ex-parte by POI vide decision dated 13.09.2023, wherein the above bill was declared null and void.
2. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 13.09.2023 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 grounds that the POI has no jurisdiction to adjudicate the billing dispute pertaining to arrears; that the cases must be decided on merits but the POI passed the impugned decision on mere assumptions without consideration of rules, law and facts of the case; and that the same is liable to be set aside.
3. Notice dated 06.02.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which however were not filed. Subsequently, hearing of the appeal was conducted at NEPRA Regional Office Lahore on 07.06.2024, wherein, Learned Counsel appeared for the

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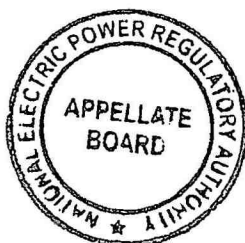
Appellant and no one entered appearance for the Respondent. Learned counsel for the Appellant contended that the Respondent defaulted in making payment of the bills, which resulted accumulation of arrears against which partial payments were made, whereas the remaining amount is adjusted in the billing account of the Respondent. Learned counsel for the Appellant further contended that the bills were debited to the Respondent as per actual consumption recorded by the meter, hence the impugned decision for cancellation of the said bill is illegal, unjustified and the same is liable to be struck down in the best interest of justice.

4. Having heard the arguments and record perused. Following are our observations:

4.1 The Respondent disputed before the POI the arrears of Rs.225,647/- pertaining to the period from March 2022 to February 2023, which were cancelled by the Appellant vide impugned ex-parte decision against which the Appellant filed the instant appeal before the NEPRA. In its Appeal, the Appellant submitted that the above bills were charged to the Respondent as per the meter reading and the Respondent is responsible to pay the same.

4.2 It is observed that the Appellant neither appeared before the POI nor submitted the reply to the complaint before the said forum despite repeated notices, this shows their lack of interest in defending the disputed bill. The Appellant as well as the Respondent even failed to bring on record the bills for the period from March 2022 to February 2023 showing snapshots even after a lapse of considerable time. Under these circumstances, we have to analyze the billing statement of the Respondent to ascertain the justification of the impugned arrears pertaining to the period from March 2022 to February 2023 in the below table:

Period before dispute		Disputed period		Period after dispute	
Month	Units	Month	Units	Month	Units
Mar-21	619	Mar-22	1370	Mar-23	1708
Apr-21	120	Apr-22	8233	Apr-23	265
May-21	1071	May-22	241	May-23	4650
Jun-21	870	Jun-22	1469	Jun-23	3097
Jul-21	953	Jul-22	41	Jul-23	3004
Aug-21	1232	Aug-22	400	Aug-23	822
Sep-21	929	Sep-22	1702	Sep-23	864
Oct-21	1083	Oct-22	1318	Oct-23	520
Nov-21	27	Nov-22	166	Nov-23	427
Dec-21	689	Dec-22	1587	Dec-23	450
Jan-22	3	Jan-23	1061	Jan-24	0
Feb-22	462	Feb-23	0	Feb-24	378
<b>Total</b>	<b>8058</b>	<b>Total</b>	<b>17588</b>	<b>Total</b>	<b>16185</b>





## National Electric Power Regulatory Authority

Examination of the above table transpires that total 17,588 units charged from March 2022 to February 2023 by the Appellant to the Respondent are much higher than the total units recorded by the meter during the corresponding months of the preceeding and succeeding years. Therefore, it is concluded that the Respondent was excessively charged by the Appellant from March 2022 to February 2023.

4.3 Therefore, the Respondent may be afforded credit of 1,403 units in the future bills as per below calculation:

Disputed period: March 2022 to February 2023


- A. Total units already charged = 17,588 units
- B. Total units to be charged = 16,185 units
- C. Net units to be credited = A-B = **1,403 units**

5. The impugned decision is modified in the above terms.

On leave  
Abid Hussain  
Member/Advisor (CAD)

Dated: 11-07-2024

  
Naweed Illahi Sheikh  
Convener/DG (CAD)

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

