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

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No. NEPRA/Appeal/040/2025/ 937 October 16, 2025

1. M/s. Bank Al-Habib Limited,
Through Mr. Muhammad Mohiuddin,
Deputy General Manager-EMD/MEP,
Admin Division, Shahrah-e-Quaid-e-Azam,
Lahore
Cell No. 0323-4049046

2. Chief Executive Officer,
LESCO Ltd,
22-A, Queens Road,
Lahore

3. Saeed Ahmed Bhatti,
Advocate High Court,
66-Khyber Block, Allama Iqbal Town,
Lahore
Cell No. 0300-4350899

4. Assistant Manager (Operation),
LESCO Ltd,
Mozang Sub Division,
Lahore
Cell No. 0370-4991253

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.040/2025 (LESCO vs. M/s. Bank Al-Habib Limited) Against the Decision Dated 06.11.2024 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 16.10.2025 (04 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.040/POI-2025

Lahore Electric Supply Company Limited ....Appellant

Versus

M/s. Bank Al-Habib Ltd., Through Mohammad Mohiuddin,
Deputy General Manager, EMD/MEP Admin Manager,
Situated at Shahrah-e-Quaid-e-Azam, Lahore ....Respondent

APPEAL U/S 38(3) OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant: Mr. Saeed Ahmed Bhatti Advocate Mr. Muhammad Akmal Saleem AMO	For the Respondent: Mr. Abdul Rehman Consultant Enersave

DECISION

1. Through this decision, the appeal filed by Lahore Electric Supply Company Limited (hereinafter referred to as the "Appellant") against the decision dated 06.11.2024 of the Provincial Office of Inspection, Lahore Region-II, Lahore (hereinafter referred to as the "POI") is being disposed of.
2. Brief facts of the case are that M/s. Bank Al-Habib Ltd. (hereinafter referred to as the "Respondent") is a commercial consumer of the Appellant bearing Ref No.24-11253-9905900-U with a sanctioned load of 100 kW and the applicable tariff category is A-2(b). The Respondent filed a complaint before POI on 25.03.2024 and challenged a bill of Rs.1,388,365/- for 19,880 units charged by the Appellant in February 2024. Metering equipment of the Respondent was checked by the POI on 22.08.2024 in the presence of both parties, wherein one phase of the billing meter was found defective, and the display reading was not clearly visible; the MDI knob was found in broken condition. The joint checking report was signed by both parties without raising any objection. The complaint of the Respondent was disposed of by POI on 06.11.2024, and the bill of Rs.1,388,365/- for 19,880 units charged in February 2024, along with the bills charged from April 2024 to September 2024, were cancelled. As per the POI decision, the Appellant was directed

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to afford credit of 77,640 units and 178,160 average units on DEF-EST code.

3. The Appellant, being dissatisfied, filed instant appeal before the NEPRA against the afore-referred decision of the POI, which was registered as Appeal No. 040/PO1-2025. In its appeal, the Appellant opposed the impugned decision *inter alia,* on the main grounds that the impugned ex-parte decision is against the facts of the case and law applicable thereto; that the POI failed to give reason and justification for passing the impugend decision and same was passed on technical ground qua non-appearance of the Appellants before lower forum; that the POI failed to follow the procedure while passing the impugend decision; that it is settled principle of law that no one should be condemned unheard and causes are to be resolve don the basis of cogent reasons aftergiving an opportunity of hearing to both parties; that the no prior notice was served by the Respondent before approaching the POI; that the POI passed the impugned decision without perusing the record and the impugned decision is against the principle of natural justice and that the impugned decision is liable to be set aside.
4. Notice dated 14.03.2025 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which however, were not filed.
5. A hearing was conducted at NEPRA Regional Office Lahore on 15.08.2025, wherein both parties tendered appearance. Learned counsel for the Appellant repeated the same version as contained in memo of the appeal and submitted that the Respondent disputed the bill of February 2024 before the POI, which was charged as per applicable rules and regulations and actual meter reading. Learned counsel for the Appellant further submitted that defectiveness of one phase was found in the impugned meter of the Respondent, which was also confirmed by the POI during joint checking, hence the bills for the period from April 2024 to November 2024 were charged on DEF-EST code. He stated that the impugned decision of cancellation of the bill for February 2024 and affording credit of 777,640 units to the Respondent is against natural justice and the impugned decision is liable to be struck down. On the contrary, the representative for the Respondent stated that one phase of the meter was found dead; as such, 33% slowness in the impugned meter may be recovered for two months only as envisaged in Clause 4.3.3c(ii) of the CSM-2021. He supported the impugned decision with regard to the refund of 777640 units being excessively charged by the Appellant and pointed out that the reading of the impugned meter was noted as 67489 during checking dated 22.08.2024 of POI, whereas the

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Appellant debited the bill of August 2024 with reading index of 86,930, which is much higher than the recorded consumption of the impugned meter. He finally prayed for the dismissal of the appeal, being devoid of merit.

6. Arguments heard and the record perused. Following are our observations:

i. **<u>Objection regarding prior notice before filing the complaint before the POI</u>:**

As regards another objection of the Appellant for not issuing notice as per the Electricity Act, 1910 by the Respondent before filing a complaint to the POI, it is elucidated that the matter was adjudicated by the POI under Section 38 of the NEPRA Act, 1997 and as per procedure laid down in Punjab (Establishment and Powers of Office of Inspection) Order, 2005, which do not require for service of any notice before approaching the POI. The above objection of the Appellant is not valid and, therefore, overruled.

ii. **<u>Bills charged from February 2024 to November 2024:</u>**

The Respondent filed a complaint before POI and challenged the bill of Rs.1,388,365/- for 19,880 units charged for February 2024 with the plea that excessive billing was done by the Appellant. During the joint checking dated 22.08.2024 of the POI, the billing meter of the Respondent was found 33% slow due to one phase being dead and the total reading of the billing meter was noted as TL=67489. The joint checking report of the POI was signed by both parties without raising any objection. POI vide impugned decision cancelled the bills of February 2024, April 2024 to September 2024 and directed to refund 777,640 units to the Respondent, being excessively charged, and 178,160 average units. As per the POI decision, the Appellant was further directed to replace the impugned meter with a healthy meter to avoid litigation in the future. Against which the instant appeal was filed by the Appellant before NEPRA.

iii. It is an admitted fact that the impugned billing meter of the Respondent was found 33% slow during the checking dated 22.04.2024 of the Appellant, as well as during the joint checking dated 22.08.2024 of POI, respectively. Hence, it would be fair and appropriate to charge the supplementary bill for two bill cycles before the checking dated 22.04.2024 of the Appellant and the bills with enhanced MF w.e.f the checking dated 22.04.2024 and onwards till the replacement of the impugned meter due to 33% slowness according to Clause 4.3.3(c) of the CSM-2021. The impugned decision is modified in the above terms.

iv. As far as the contention of the Respondent regarding excessive billing done by the

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Appellant, the bill of February 2024, as provided by the Appellant, is compared below with the reading noted by the POI during joint checking dated 22.08.2024:

Date of checking	Reading
Monthly reading noted on 01.03.2024 for bill of Feb-2024	86,432
POI joint checking dated 22.08.2024	67,489
Difference	19,441

v. The above comparison of the consumption data shows that the Appellant debited the bill of February 2024 with the total reading of 86,432, whereas the reading of the impugned billing meter of the Respondent was noted as 67,489 during the subsequent joint checking dated 22.08.2024 of POI. The said checking report was signed by both parties without raising any objection. This whole scenario indicates that the Appellant debited the excessive bills with fictitious readings till February 2024; therefore, the Respondent is liable to be afforded credit/ adjustment of units in the future bills as per the reading noted during the POI joint checking dated 22.08.2024.

7. Forgoing in view, it is concluded as under:

i. The bills w.e.f February 2024 and onwards, till the replacement of the impugned meter, are unjustified, being charged with fictitious readings, and the same are cancelled.

ii. The Respondent may be charged the supplementary bill for two bill cycles due to 33% slowness of the meter before the checking dated 22.04.2024 of the Appellant and the bills with enhanced MF w.e.f the checking dated 22.04.2024 and onwards till the replacement of the impugned meter due to 33% slowness according to Clause 4.3.3(c) of the CSM-2021.

iii. In furtherance, the Respondent may be afforded a credit/adjustment of units in future bills as per the reading noted during the POI joint checking dated 22.08.2024.

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

Abid Hussain
Member/Advisor (CAD)

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

Naweed Illahi Sheikh
Convener/DG (CAD)

Dated: 16-10-2025