



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

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No. NEPRA/Appeal/095/2022/ 335

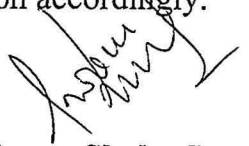
March 15, 2024

1. Muhammad Asif Mehmood,  
S/o. Ghulam Abbas,  
Prop: Tube Well, Chak No. 377/WB,  
Basti Malook, Tehsil Duniya Pur,  
District Lodhran  
Cell No. 0343-8765377
2. Chief Executive Officer,  
MEPCO Ltd,  
MEPCO Complex, Khanewal Road,  
Multan
3. Muhammad Arshad Mughal,  
Advocate High Court,  
06 Justice Tariq Mehmood Block,  
District Courts, Multan  
Cell No. 0300-8733006
4. Executive Engineer (Operation),  
MEPCO Ltd,  
Lodhran Division,  
Lodhran
5. Sub Divisional Officer (Operation),  
MEPCO Ltd,  
Old Sub Division,  
Basti Malook  
Cell No. 0302-8294734
6. POI/Electric Inspector,  
Multan Region,  
Energy Department, Govt. of Punjab,  
249-G, Shah Rukan-e-Alam Colony,  
Phase-II, Multan

Subject: **Appeal No.095/2022 (MEPCO Vs. Asif Mehmood) Against the Decision Dated 25.05.2022 of the Provincial Office of Inspection to Government of the Punjab Multan Region, Multan**

Please find enclosed herewith the decision of the Appellate Board dated 15.03.2024 (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.095/POI-2022

Multan Electric Power Company Limited

.....Appellant

Versus

Asif Mehmood S/o. Ghulam Abbas, Prop: Tube well,  
Chak No.377/WB, Basti Malook, Tehsil Duniya Pur,  
District Lodhran

.....Respondent

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

#### For the Appellant:

Mr. Muhammad Arshad Mughal Advocate  
Mr. Muhammad Atif Khan SDO

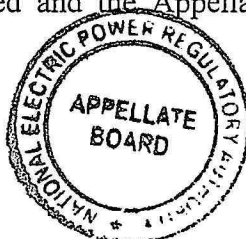
#### For the Respondent:

Nemo

### DECISION

1. Through this decision, the appeal filed by Multan Electric Power Company Limited (hereinafter referred to as the "Appellant") against the decision dated 25.05.2022 of the Provincial Office of Inspection, Multan Region, Multan (hereinafter referred to as the "POI") is being disposed of.
2. Brief facts of the case are that Mr. Asif Mehmood (hereinafter referred to as the "Respondent") is an agricultural consumer of the Appellant bearing Ref No.29-15426-1281402 with sanctioned load of 15 kW and the applicable tariff category is D-2(b). The Respondent filed a complaint before the POI and challenged the detection bill of Rs.161,941/- for 13,285 units for August 2021 debited by the Appellant on the basis of the M&T report dated 04.10.2021. The complaint of the Respondent was disposed of by the POI vide decision dated 25.05.2022, wherein the detection bill of Rs.161,941/- for 13,285 units for August 2021 was cancelled and the Appellant was directed to overhaul the

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billing account of the Respondent.

3. The Appellant has filed the instant appeal against the afore-said decision dated 25.05.2022 of the POI (hereinafter referred to as the “impugned decision”) before the NEPRA. In its appeal, the Appellant opposed the maintainability of the impugned decision *inter alia*, on the following grounds that the POI has failed to observe the case in letter and spirit and the policy formulated in CSM-2010 and passed the impugned decision on surmises and conjectures; that the POI did not decide the matter within 90 days as envisaged under Section 26(6) of the Electricity Act 1910; that the matter exclusively falls within the domain of civil court; that the POI did not apply his judicious mind while deciding the matter and that the impugned decision is liable to be set aside.

4. **Proceedings by the Appellate Board**

Upon the filing of the instant appeal, notice dated 07.09.2022 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which however were not filed.

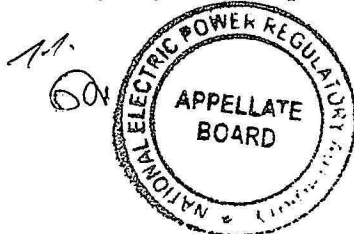
5. **Hearing**

- 5.1 Hearing was conducted at NEPRA Regional Office Multan on 09.01.2024, wherein, a counsel appeared along with SDO for the Appellant and the Respondent did not tender appearance. In response to the question of limitation raised by this forum, the Appellant contended that the delay in filing the appeal is neither intentional nor deliberate, hence the delay in filing the appeal be condoned in the best interest of justice and the case be decided on merits instead of technical grounds.

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

6.1 **Limitation for filing Appeal:**

While addressing the point of limitation, it is observed that copy of the impugned decision dated 25.05.2022 was obtained by the Appellant on 27.05.2022 and the appeal was filed before the NEPRA on 13.07.2022 after the prescribed time limit of 30 days. This shows that the Appellant filed the instant appeal before NEPRA after a lapse of forty-seven (47) days from the date of receipt of the impugned decision. As per sub-section (3) of Section 38 of the NEPRA Act 1997, any person aggrieved by the decision of the POI may prefer an appeal to NEPRA within thirty days of receipt of the order. Further, it is supplemented








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with Regulation 4 of the NEPRA (Procedure for Filing Appeals) Regulations, 2012 (the "Appeal Procedure Regulations") which also states that the Appeal is required to be filed within 30 days of the receipt of the impugned decision of POI by the Appellant, however, a margin of 7 days' is provided in case of submission through registered post, and 3 days in case of submission of appeal through courier is given in the Appeal Procedure Regulations. Thus, the delay of forty-seven (47) days in filing the appeal before the NEPRA from the date of receipt of the impugned decision is not condonable as no sufficient reasons have been given by the Appellant to justify the delay in filing the appeal.

7. Foregoing in view, the appeal filed before NEPRA is time-barred and; hence dismissed.

  
Abid Hussain  
Member/Advisor (CAD)

  
Naweed Ishaq Sheikh  
Convener/DG (CAD)

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

Dated: 15-03-2024

