

**ORDER SHEET.**  
**ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**W.P.No.2860/2012**  
**IESCO**  
**Vs.**  
**N.E.P.R.A. and others**

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	28.11.2022.	Syed Hassan Ali Raza, Advocate for IESCO/applicant in the instant writ petition. Barrister Khaliq uz Zaman for IESCO in writ petition No.2921/2016. Syed Ahsan Raza Kazmi, learned Dy. A-G. Mr. Irfan ul Haq, Legal Adviser along with Mr. Shayan Abbasi, advocate for NEPRA.

**Diary No.19076/2022**

The objection raised by the office shall be considered on the judicial side. Office is directed to number the instant application.

**MAIN CASE.**

In the instant writ petition, the petitioner, Islamabad Electric Supply Company Limited (“IESCO”) will henceforth be represented by Syed Hassan Ali Raza, Advocate.

On 28.03.2022, this Court had recorded an expectation that National Electric Power Regulatory Authority (“N.E.P.R.A.”) would take a decision in the matter details whereof are given in the said order. It has now been more than seven months and a decision has not been taken. The mere fact that N.E.P.R.A. has vide order dated 01.09.2022

given Baria Town Private Limited an option to apply for the distribution (network license) does not absolve N.E.P.R.A. from taking a decision in the matter. It was on N.E.P.R.A.'s assurance that the issues pertaining to the takeover of the distribution facilities established by Bahria Town by I.E.S.C.O. would be steered through by N.E.P.R.A., that this Court had ordered that a joint report regarding re-evaluation and re-assessment of the distribution network of Bahria Town to have been carried out. N.E.P.R.A. is directed to take a decision in the matter and bring the same on the record before the next date of hearing. I am of the view that the position to be taken by the Energy Division on N.E.P.R.A.'s letter dated 01.09.2022 would be essential for the just adjudication of this matter. On the next date of hearing, the Energy Division shall ensure representation through a duly instructed officer. It is also expected that the Energy Division would confer with IESCO before taking a position before this Court.

Relist on 23.01.2023.

**(MIANGUL HASSAN AURANGZEB)**  
**JUDGE**

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