

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.
	28.03.2022.	<p>Barrister Khaliq uz Zaman for IESCO in the instant writ petition along with Dr. M. Amjad, C.E.O., IESCO.</p> <p>Mr. Khalid Zaman, Advocate for IESCO in writ petition No.1484/2020.</p> <p>Mr. Faisal Bin Khurshid, Advocate for IESCO in writ petition No.2921/2016.</p> <p>M/s Haseeb Shakoore Paracha and Moazzam Hussain, advocates for B.T.P.L. in WP No.2020/2020.</p> <p>Mr. Arshid Mehmood Kiani, learned Dy. A-G.</p> <p>Mr. Shuja Ullah Gondal, Advocate along with Mr. Irfan ul Haq, Legal Adviser, NEPRA.</p> <p>Barrister Gohar Ali Khan advocate for respondent No.2/B.T.P.L.</p> <p>Mr. M. Nisar Khattak, advocate for respondent No.4 in WP No.2921/2016.</p>

After the last date of hearing on 17.02.2022, a hearing was scheduled to take place at National Electric Power Regulatory Authority (“N.E.P.R.A.”) on 28.02.2022. This hearing was attended by IESCO as well as the representative of the Bahria Town Private Limited (“B.T.P.L.”).

IESCO’s apprehension is that N.E.P.R.A. might require the cost of upgrading the distribution system established by B.T.P.L. to be recovered from

the consumers through electricity bills generated by IESCO. IESCO has a reservation against this process and according to which it is not backed by any provision of the law. IESCO, during the hearing objected to the cost of upgrading the distribution system established by B.T.P.L. to be recovered from the consumers. The Chief Executive Officer of IESCO is in attendance and endorses this position.

Learned counsel for B.T.P.L. submits that the suggestion made by N.E.P.R.A. for the recovery of the said amount from the consumers suffers from no legal infirmity. Be that as it may, N.E.P.R.A. is yet to take a decision in the matter.

Mr. Irfan ul Haq, Legal Adviser, N.E.P.R.A. is in attendance and has brought on record letter dated 14.03.2022 paragraph 6 whereof shows that IESCO and B.T.P.L. may re-evaluate/re-assess the distribution network of Bahria Town under the supervision of Director General (Consumer Affairs Department), N.E.P.R.A. and submit a joint report. In the event, the IESCO and B.T.P.L. did not cooperate in the process, the Director General (Consumer Affairs Department), N.E.P.R.A. was to proceed further with the matter and submit a report within a period of three weeks as prescribed

in paragraph-6 of the said letter dated 14.03.2022.

It is expected that N.E.P.R.A. would take a decision in the matter within a period of one month from the date of the submission of the report.

Relist in the month of May, 2022.

(MIANGUL HASSAN AURANGZEB)
JUDGE

Sanaullah