

ORDER SHEET

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

C.P No.D-3269 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
	1. For order on office objection (s) 2. For hearing of M.A No.12946/2022 3. For hearing of main case

15.9.2025

Mr.Noor Ahmed Memon, Advocate for the Petitioner
Mr.Muhammad Ismail Bhutto, Addl. A.G Sindh

Through the instant petition filed under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, the petitioner seeks the following reliefs:

- a) *To take contempt proceedings against the respondents/delinquent officials for non-compliance of the order of electrical inspector which attain the finality, but the same is not being implemented by the respondents as held in C.P No.D-1589 of 2013 in paragraph E.*
- b) *To direct the respondents to correct the electricity detection/DF bill charged by HESCO in several months as the same bills are unjustified liable to be waved off along all late payment surcharges up to date.*
- c) *To direct the respondents to issue revised bill by implementing the decision/order passed by electrical inspector NEPRA vide Order No EIH/POLs(NEPRA) complaint No.94/2019/2909 dated 10.7.2019.*
- d) *Costs.*
- e) *Any other relief (s).*

2. Learned counsel for the petitioner submits that the order passed by the Electric Inspector dated 10.07.2019 has attained finality and is binding upon the respondents, yet they have failed to implement the same despite repeated requests. He further argues that the detection bills issued by HESCO are unjustified and contrary to the findings of the Electric Inspector, and therefore

liable to be revised. He contends that the petitioner has no alternate remedy and is left with no option but to invoke the constitutional jurisdiction of this Court under Article 199 to seek enforcement of a lawful order and protection against arbitrary billing.

3. Conversely, learned A.A.G opposes the maintainability of the petition and submits that the Electricity Act, 1910 provides a complete statutory mechanism for resolution of disputes between a licensee and a consumer, including enforcement of orders passed by the Electric Inspector.

4. Heard and perused the record. From a plain reading of the prayer clauses and the submissions made, it is evident that the petitioner seeks enforcement of an order passed by the Electric Inspector. However, **Section 26(6)** of the Electricity Act, 1910 provides a comprehensive adjudicatory and enforcement mechanism, including a final appellate remedy before the Provincial Government. The petitioner has neither availed nor exhausted this statutory remedy, nor has he demonstrated any exceptional circumstances warranting interference under Article 199 of the Constitution. It is well settled that where a statute provides a complete code for redressal of grievance, constitutional jurisdiction is not to be invoked as a substitute for statutory remedy. The petitioner has failed to establish any violation of fundamental rights or any manifest illegality in the process that would justify constitutional intervention.

7. In view of the foregoing, the instant petition is found to be misconceived and not maintainable. Accordingly, the same is **dismissed** alongwith listed application **with costs of Rs.50,000/-**, to be deposited by the petitioner in the account of the High Court Clinic/Dispensary within fifteen (15) days from today.

JUDGE

JUDGE