

*Order Sheet*

IN THE HIGH COURT OF SINDH KARACHI

**C. P. No. D – 5429 of 2025**

*(M/sShan Paper (Pvt) Ltd & others v NEPRA & another)*

**C. P. No. D – 5384 of 2025**

*(K. Electric Ltd v Pakistan & another)*

**C. P. No. D – 5385 of 2025**

*(K. Electric Ltd v NEPRA & another)*

**C. P. No. D – 5386 of 2025**

*(K. Electric Ltd v NEPRA & another)*

**C. P. No. D – 5387 of 2025**

*(K. Electric Ltd v NEPRA & another)*

**C. P. No. D – 5430 of 2025**

*(M/sShan Paper (Pvt) Ltd & others v NEPRA & another)*

**C. P. No. D – 5441 of 2025**

*((M/sShan Paper (Pvt) Ltd & others v NEPRA & another)*

**C. P. No. D – 5442 of 2025**

*(M/sShan Paper (Pvt) Ltd & others v NEPRA & another)*

Date	Order with Signature of Judge
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Before:-

Mr. Justice Adnan-ul-Karim Memon

Mr. Zulfiqar Ali Sangi

**Date of hearing and order:-02.04.2026**

M/s. Dr. Farogh Naseem, Shahrukh Farogh Naseem, Ayan Mustafa Memon, Mustafa Shah, Ms. Areebah Uqaili, advocates for petitioners

M/s. Munawar Islam, Shahid Iqbal Rana & Hassan Parvaiz, advocate for respondents

Mr. Sarmad Ali, advocate for NEPRA

Ms. Wajeeha Mehdi, DAG

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**ORDER**

**Adnan-ul-Karim Memon, J** The Petitioners are a group of industrial and commercial electricity consumers in Karachi and adjoining areas, including textile, food, packaging, and manufacturing sectors, who rely on uninterrupted and affordable power supply from K-Electric Limited Respondent No. 3. They challenged the decision of the National Electric Power Regulatory Authority dated 20.10.2025 (Ref. No. NEPRA/R/TRF-614/K-ELECTRIC/SUPPLY-2024/16710-17), the “Impugned Decision,” on the grounds that it is unlawful, without jurisdiction, and arbitrary. It is submitted that NEPRA exceeded its powers by reopening and altering the final Supply Tariff Determination for FY 2023-24 and FY 2024-25 through a suo motu review based on defective Motions for Leave for Review, affecting Fuel Cost Components, monthly adjustments, Late Payment Surcharge treatment, and recovery targets, thereby imposing retrospective financial burdens and undermining tariff stability. They submitted that the Impugned Decision violated statutory safeguards, due process, and legitimate expectations, leaving them no alternative remedy, but to approach this court under Article 199 of the Constitution.

Learned counsel for Respondents submitted that the Petitioners have already filed appeals before the NEPRA Appellate Tribunal, which are to be decided within four months, rendering the petitions under Article 199 of the Constitution non-maintainable, in presence of remedy of appeal under the law.

At this stage, the learned counsel for the Petitioners proposed that the pending appeals be heard and decided by the tribunal in accordance with law and, in the meantime, the Impugned Decision passed in the present petitions shall remain in abeyance. Learned DAG is of the same view, prima facie, this proposal seems to be reasonable and acceded to it.

Without touching the merits of the case, since the petitioners' appeals before the NEPRA Appellate Tribunal is pending adjudication as such the same appeals needs to be decided by the Tribunal within three months positively. Meanwhile, the interim order of this Court shall remain in force, till final decision by the tribunal in the appeals so filed.

These petitions along with pending application(s) are disposed of accordingly, with a copy of this order to be communicated to the registrar of NEPRA Appellate Tribunal for compliance.

J U D G E

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Ashraf