

Order Sheet**IN THE HIGH COURT OF SINDH AT KARACHI****Misc. Appeal No. 29 of 2018**

Red Tone Telecommunication..... Appellant

Versus

Pakistan Telecommunication Authority.....Respondent

Hearing/Priority

1. For hearing of M.A. No.4953/2018
2. For hearing of main case.

Ms. Heer Memon, Advocate for the Appellant.

Mr. Shahnawaz Sahito, Advocate for the Respondent.

Date of hearing: 20.05.2025

Date of order: 20.05.2025

ORDER

At the very outset learned counsel for the Appellant has pointed out that the impugned decision dated 14.05.2018 of the Authority has been signed by two Members and the same is contrary to Section 3 of the Pakistan Telecommunication (Re-Organization) Act, 1996 (the Act). Learned counsel for the Appellant thereafter invited my attention to order of the Honourable Supreme Court dated 25.10.2019 passed in Civil Appeals No.205, 207 & 209 to 212 of 2016. Further learned counsel has also placed on record order dated 26.09.2022 of the Lahore High Court passed in F.A.O. No.323/2012. Learned counsel in this respect has contended that in light of orders mentioned above the matter may be remanded back to the Authority (Respondent) for decision afresh in compliance of Section 3 of the Act, as noted above.

The said proposition was put to the learned counsel for Respondent, who has conceded to the proposition and stated that he will be satisfied if directions may be given to dispose of the matter within a stipulated time.

In view of the above, the impugned decision is set-aside and the matter is remanded back to the Authority for decision afresh in compliance of Section 3 of the above noted Act, within thirty (30) days from today.

Instant Appeal stands disposed of in the above terms along with listed application.

JUDGE

Nadeem