

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

C.P. Nos.D-452, 333, 554, 5055 of 2013 & 16 of 2014

Date

Order with signature of Judge

Before:-

Mr.Justice Muhammad Ali Mazhar

Mr.Justice Agha Faisal

- (1) Royal Marine Private Ltd.
- (2) Transparency International Pakistan.
- (3) M/s.Cargo Channel
- (4) Pakistan National Shipping Corporation
- (5) Pakistan National Shipping Corporation.....Petitioners

Versus

Federation of Pakistan & others.....Respondents

07.12.2018

Mr. Makhdoom Ali Khan, Advocate for the Petitioners in C.P. No.D-5055 of 2013 and 16 of 2014 and for Respondent No.3 (PNSC) in C.P.Nos.D-452, & 554 of 2013.

Mr.Sufyan Zaman, Advocate holding brief for Mr. Haider Waheed, Advocate for the Petitioners in C.P. No.D-333, 554 and 452 of 2013.

Mr. Taha Ali Zai and S.Ameenuddin, Advocates for the Respondent No.1 (PSO) in C.P. No.D-5055 of 2013 and C.P.No.D-16 of 2014.

Ms.Ayan Mustafa Memon holding brief for Mr.Abid S. Zuberi for the Respondent No.2 (PSO) in C.P. No.D-333 and 554 of 2013.

Mr. M. Zahid Khan and Mr.Muhammad Ahmed, Assistant Attorney General.

Mr.Zafarullah Khan, General Manager, Legal Affairs, PNSC present in person.

Muhammad Ali Mazhar,J: All learned counsel present

in court jointly referred to a letter dated 5.6.2018, which

is available at page-1341 of the C.P.No.D-16/2014. The contents of the letter is reproduced as under:-

**“PL-9 (523)/2018-PNSC
Government of Pakistan
Ministry of Energy (Petroleum Division)
Directorate General of Oil
Petroleum House, G-5/2

Islamabad, the 5th June, 2018

**Managing Director,
Pakistan State Oil Company Limited,
Karachi**

**Subject: TERMINATION OF CONTRACT OF
AFFREIGHTMENT (COA) BETWEEN PSO AND PNSC**

Dear Sir,

“I am directed to refer to the subject cited above and to convey that Economic Coordination Committee (ECC) of the Cabinet considered the summary dated 11th May 2018 submitted by the Ministry of Energy (Petroleum Division) in ECC meeting held on 17th May 2018 and decided that *Pakistan National Shipping Corporation (PNSC) and Pakistan State Oil (PSO) should resolve the issue mutually at their own level without referring it back to ECC.* A copy of the ECC decision is attached.

2. This is for information and further action, accordingly.”

Yours faithfully,

**(ILTAF HUSSAIN ANSARI)
DEPUTY DIRECTOR (M)
PH: 9201504”**

2. Ms.Fouzia Rasheed holding brief for Mr.Sohail Muzaffar, Advocate submits that the petitioner in C.P.No.D-333 of 2013 has instructed to file an application for withdrawal of this petition, but at present the petitioner has already been represented by Mr.Haider Waheed, Advocate and there is no such application before us.

3. The learned counsel for the parties have also referred a decision of Economic Coordination Committee (ECC) of the Cabinet which is available at page-1343 of

the same petition. Since the ECC of the Cabinet has considered the Summary submitted by the Petroleum Division regarding the termination of contract of affreightment (CoA) between PSO and PNSC and decided that the PSO and PNSC should resolve the issue mutually at their own level without referring it back to ECC, therefore, all the learned counsel have agreed that let the matter be decided in terms of the decision of ECC and in case any party feels aggrieved they may institute appropriate proceedings in accordance with law.

4. The aforesaid petitions are disposed of in the above terms along with pending applications.

Judge

Judge