

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

**C.P. No.D-1013 of 2019**

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**Order with signature of Judge**

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Before: **Mohammad Ali Mazhar and Agha Faisal, JJ.**

1. *For orders on Misc. No.4578 of 2019*
2. *For orders on office objection No.1*
3. *For orders on Misc. No.4579 of 2019*
4. *For orders on Misc. No.4580 of 2019.*
5. *For hearing of main case*

15.02.2019.

Mr. Adnan Ahmed, Advocate, Advocate for the petitioner.

**Mohammad Ali Mazhar J.,** It appears from the record that earlier the same petitioner filed C.P. No.D-570 of 2013 against the cancellation of license by PEMRA for petitioner's T.V. channel "Lahore Rang T.V.". On 12.02.2015, while dilating upon the facts of the case, the learned Divisional Bench of this Court reached to the conclusion that instead of filing petition against the cancellation of license, the petitioner should have filed Miscellaneous Appeal provided under the provisions of PEMRA therefore the constitutional petition was converted into Miscellaneous Appeals in terms of Section 30-A of the PEMRA Ordinance, 2002 and office was directed to allot number to the appeal and matter was ordered to be heard by the learned Single Judge of this Court according to roster. The petitioner has approached this Court with the prayer that some directions may be issued to the respondent No.1 not to give instructions to stop relaying of petitioner's T.V. Channel through cable operators till disposal of M.A. No.07 of 2015 (M/s Tricom Entertainment (Pvt.) Ltd. Vs. PEMRA and another). We raised a query that when the appeal against action of

cancellation is pending how this petition is maintainable and petitioner could have filed an urgent application alongwith stay application in that appeal for the consideration of the Court. Learned counsel submits that various applications were moved for urgency but his appeal was not heard on merits and matter is pending since 2015 after its conversion from petition to appeal which was originally filed in 2013. Learned counsel for the petitioner may move urgent application in the Miscellaneous Appeal and we expect that the learned Judge seized of the matter, will consider the urgent application as admittedly the original petition was filed in 2013 which was disposed of in 2015 with the conversion of petition into appeal and since then the matter is pending. However, no order can be passed in this petition during pendency of the appeal, therefore, this petition is dismissed.

**J U D G E**

**J U D G E**

*Farooq ps/\**