

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-2169 of 2016

Date **Order with signature of Judge**

Present

Mr. Justice Muhammad Ali Mazhar
Mr. Justice Agha Faisal

Oil and Gas Investments Limited.....Petitioner

V E R S U S

Federation of Pakistan & another.....Respondents

03.04.2019

Mr. Ali Asghar, Advocate for the Petitioner.
Mr. Zahid F. Ebrahim, Additional Attorney General.
Syed Ijaz Ali Shah, Legal Advisor (Petroleum Division)
on behalf of Respondent Nos.1 and 2 present.

Muhammad Ali Mazhar, J: The petitioner has raised some disputed questions of facts and controversial issues in this constitution petition. The other side submits that in the Petroleum Concession Agreement there is an arbitration clause and we have also gone through the arbitration clause which is provided in the Petroleum Concession Agreement. According to the petitioner's counsel, the revocation of licence was illegal and they have also prayed for directions against the respondent Nos.1 and 2 to grant extension in the license as provided under the Pakistan Onshore Petroleum (Exploration and Production) Rules, 2009. The petitioner has further sought the directions

against the respondents to place the entire record in respect of extension given to various exploring companies and restrain the respondents from taking any penal action consequent to revocation of impugned notification.

2. The contractual obligations cannot be enforced through the writ jurisdiction and various minute factual controversies have been raised in this petition despite the arbitration clause agreed by the parties in the Petroleum Concession Agreement. The learned Additional Attorney General also raised a question regarding the maintainability of this petition. In our view the petition is not maintainable, however, the learned counsel for the petitioner agrees that the petitioner will seek appropriate remedy in accordance with the law. In view of the statement of the petitioner's counsel that the petitioner will avail appropriate remedy in accordance with the law, the petition is disposed of accordingly. Pending application is also disposed of.

Judge

Judge

