

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-4274 of 2014

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar
Mr. Justice Agha Faisal

Southern Networks Limited.....Petitioner

V E R S U S

Pakistan Electronic Media
Regulatory Authority (PEMRA) & another.....Respondents

09.08.2019

Mr. Khalid Jawed Khan, Advocate for the Petitioner.
Mr. Kashif Hanif, Advocate for PEMRA.

Muhammad Ali Mazhar, J: In pursuance of the order dated 29.11.2018, the learned counsel for the petitioner requested for some time to ensure that the Bank Guarantee is extended/renewed before the next date of hearing. Today the learned counsel for the petitioner pointed out the Nazir report dated 18.12.2018 which is in fact submitted by the Nazir in compliance of the order dated 29.11.2018. The Nazir has categorically stated that the Bank Guarantee No.LG/01/1872/2014 submitted by the UBL has been extended being open end till decision of this court. On the basis of this statement, the learned counsel for PEMRA is satisfied that the Bank Guarantee has been extended, however, at the same time he argued that M.A. No.30/2017

is also pending in this court against the same cause of action, therefore, he submits that in fact the appropriate remedy is to pursue pending appeal rather than this petition to which Mr. Khalid Jawed Khan, learned counsel for the petitioner has no objection but he requests that the Bank Guarantee already furnished by the petitioner in this case may be treated a Bank Guarantee in M.A. No.30/2017 on which Mr. Kashif Hanif, learned counsel for PEMRA has also no objection. By consent this petition is disposed of accordingly alongwith pending application. The Nazir shall not encash or discharge the Bank Guarantee unless M.A. No.30/2017 is disposed of. The above Bank Guarantee will now be treated as Bank Guarantee in M.A. No.30/2017.

JUDGE

JUDGE

Asif