

ORDER SHEET
HIGH COURT OF SINDH, KARACHI

C.P. No.D-1718 of 2020

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Yousuf Ali Sayeed.

Hakim Ali RahujoPetitioner

Versus

Pakistan Electronic Media Regulatory Authority,

& others.....Respondents

Date of hearing 17.03.2020

Mr. Shakeel Ahmed advocate for the petitioner.

Mr. Kashif Hanif advocate for the PEMRA.

Faqeer Liaqat Hussain, DGM (Legal), PEMRA.

Ashfaq Ahmed, General Manager, Karachi Region, PEMRA.

Mr. Kafeel Ahmed Abbasi, DAG.

Muhammad Ali Mazhar, J: Syed Maqbool Hussain Shah has filed vakalatnama for respondent No. 2, 3 & 4 along with statement in which it is stated that the complaint of the petitioner is pending before the Council of Complaints and they have already submitted reply on 13.03.2020 which is also attached with the statement. Mr. Kashif Hanif advocate is present with Mr. Faqeer Liaqat Hussain, DGM (Legal), PEMRA and submits that Council of Complaints has been constituted and it is functional. He submits that some reasonable time may be given to the Council of Complaints to decide the pending complaint of the petitioner. At this juncture, learned counsel for the petitioner argued that Imtiaz

Chandio, Bureau Chief of Abb Takk News has demanded for some alleged illegal gratification and the petitioner has voice recorded messages as well as whatsApp messages. Since he has prayed for the directions against the PEMRA to take action and before taking any action, the PEMRA in their Ordinance, 2002 constituted Council of Complaints to deal the public complaints against the TV Channels and different programs. The Council of Complaints is comprising persons from different walks of life and it is an admitted position that complaint is pending before the Council of Complaint, therefore, this petition is disposed of with the directions to the Council of Complaints, PEMRA to decide the pending complaint of the petitioner within one month after providing ample opportunity of hearing to the petitioner and the petitioner before Council may also produce material which he is relying and T.V. Channel may also produce their documents. Learned counsel for the petitioner requests that some restraining order may be passed against the T.V. Channel not to air any libelous program against the petitioner but at the same time learned counsel for the petitioner admits that civil suit is already pending in this court under the provisions of Defamation Ordinance, 2002. In this petition, certain directions have been issued to the PEMRA and Council of Complaints to decide the pending complaint but the writ cannot be issued against the private Channel for which the civil suit is already pending and if the petitioner so chooses he may file interlocutory application in the suit for

the needful. Ashfaq Ahmed, General Manager, Karachi Region, PEMRA is present. He is directed to submit the compliance report within one month through their counsel.

JUDGE

JUDGE

Aadil Arab