

**ORDER SHEET  
HIGH COURT OF SINDH, KARACHI**

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C.P. No.D-4537 of 2020

<b>Date</b>	<b>Order with signature of Judge</b>
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**Present**

**Mr. Justice Muhammad Ali Mazhar.**

**Mr. Justice Arshad Hussain Khan.**

Engro VoPak Terminal Limited .....Petitioner

Versus

Oil & Gas Regulatory Authority & others.....Respondents

**Date of hearing 20.10.2020**

Mr. Ali Almani advocate for the petitioner.

Mr. Kafeel Ahmed Abbasi, DAG.

Mr. Shehriyar Mehar, AAG.

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**Muhammad Ali Mazhar, J:** Despite notice, nobody is present for the respondent No.1 to 4. In fact the petitioner is aggrieved by the OGRA decision dated 20.05.2020, whereby, the penalty has been imposed along with further directions to pay compensation to the affected parties.

2. Learned counsel pointed out page 227 and argued that against the impugned decision the appeal has already been preferred under Section 12 of the OGRA Ordinance, 2002 along with stay application which is available at page 259. The main reason for filing this petition as argued by the learned counsel which is also incorporated in the memo of petition that Appellate Authority was not functional at the time of filing this petition, therefore, according to the petitioner, there was no other efficacious or alternate remedy except to file this petition before this court. Earlier we also issued notice to the OGRA but nobody is attended. Learned counsel for the petitioner stated at the bar that Appellate Authority has become functional and it has already heard the appeal as well as stay application of the petitioner on 14.10.2020 at Islamabad and the order is reserved on both. He requests that this petition may be disposed of with the directions that till decision of the appeal, the respondents may not take any coercive action against the petitioner.

Learned DAG has no objection to this proposal. This petition is disposed of along with pending application with the directions that till decision of the appeal of the petitioner i.e. Engro VoPak Terminal Limited, the respondents shall not take any coercive action against the petitioner. The copy of this order may be transmitted to the learned DAG who will forward the same to the Chairman, OGRA.

JUDGE

JUDGE

Aadil Arab