

ORDER SHEET
HIGH COURT OF SINDH, KARACHI

C.P. No.D-8385 of 2018

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Yousuf Ali Sayeed.

M/s. Digital Lucky Communication
Cable Network (Pvt) Ltd.Petitioner

Versus

Pakistan Electronic Media Regulatory Authority,
& others.....Respondents

Date of hearing 16.01.2020

Mallag Assa Dashti advocate for the petitioner.

Mr. Faqir Liaquat Ali, DGM (Legal), PEMRA, Regional Office,
Karachi.

None present for the respondent No.4

Muhammad Ali Mazhar, J: Learned counsel for the petitioner argued that petitioner is engaged in the business of Cable T.V. Network operation since 2005 and he is also a license holder of PEMRA in the category B-5 for operation in Orangi Town and Baldia Town and his last license was renewed for five years with effect from 05.07.2015. The grievance of the petitioner is that the respondent No.4 was running Cable T.V Network illegally in the licensed territory of the petitioner and despite approaching PEMRA, they failed to take any action, therefore, the petitioner has filed this petition.

2. Mr. Faqir Liaquat Ali, Deputy General Manager (Legal), PEMRA pointed out paragraph-4 of the comments filed by them which is reproduced as under:-

“That the contents of Para NO.4 are admitted and further submitted that respondent No.4 Show Time Cable TV network is habitual violator of PEMRA Laws and was illegally extended their illegal lines in some area of petitioner in 2018 and PEMRA took serious action through enforcement team in order to stop illegal line of respondent M/s Show Time CTV Network and as per field report the illegal activity of respondent No.4 was stopped by PEMRA. It is pertinent to mention here that the license of M/s. Show Time CTV cancelled by the Authority same has been challenged by the respondent No.4 before the Honorable High Court of Sindh, matter is sub-judice before the Court of law (M.A No. 01/2017)”

3. He further referred to annexure “A” of their comments which is a letter dated 27.09.2018 submitted by Sr. Field Inspector, Karachi Region which transpires that on the complaint of the petitioner, they have taken action to stop illegal line of the Cable T.V. of the respondent No.4. It is further stated that on cancellation of license of respondent No.4 they have already filed Miscellaneous Appeal No. 01/2017 which is pending in this court. The fate of the appeal will obviously be decided on its own merits but the fact remains that each Cable T.V. Network can only run its CTV Network in the assigned territory and cannot overlap the territory of some other licensee. The learned counsel for the petitioner is satisfied with the efforts of the PEMRA and also confirms that that illegality has been stopped. The petition is disposed of accordingly along with pending application.

JUDGE

JUDGE