

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

Suit No.546 of 2020  
Suit No.517 of 2020  
JM 17 of 2024  
JM 18 of 2024

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Date	Order with signature of Judge(s)
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1. For hearing of CMA No.9884/2024.
2. For hearing of CMA No.1753/2023.
3. For hearing of main application.

**30.10.2024**

Mr. Rashid Mahar, advocate and Mr. Sauban Tasleem, advocate for the plaintiff.

Mr. Mayhar Kazi, advocate and Mr. Yousuf Khosa, advocate for the defendant.

Mr. Kelash A. Vaswani, Additional Advocate General Sindh.

Mr. Abid Hussain, Project Director, CAA.

Mr. Sagheer Ahmed Bhatti, Legal Officer, CAA.

Alleged contemnor, Arslan Ghous, is present.

A joint statement has been filed under instructions by the respective learned counsel for the parties. The same is reproduced herein below:

**“JOINT-STATEMENT**

That it is respectfully submitted that all the outstanding matters between the Parties pending before the learned Single Bench of the Honourable High Court of Sindh (viz. Suit Nos. 517 and 546 of 2020, and J.M. Nos. 16 and 17 of 2024) may be kindly referred to Arbitration in the following terms:

- i. The matters would be referred to Arbitration in accordance with the respective Arbitration Agreements as contained in the respective Contract Agreements for Package 7A and Package 8B.
- ii. The appointment of sole arbitrator (subject matter of JM Nos. 16 and 17 of 2024) shall be modified as under:
  - a. The Arbitration Tribunal, as per the Arbitration Agreements, will comprise of two arbitrators, one appointed by each Party and such Arbitrators appoint the Umpire;
  - b. The appointment of Mr. Syed Mustafa Mahdi as sole arbitrator may be set aside;
  - c. Mr. Syed Mustafa Mahdi shall be deemed to be Siemens Pakistan Engineering Company Limited appointed Arbitrator for the Tribunal;
  - d. Pakistan Airports Authority (formerly Civil Aviation Authority) shall appoint its arbitrator within 10 working days; and
  - e. The two appointed arbitrators shall appoint in umpire not later than one month from the latest date of their respective appointments.
- iii. All matters referred to the Arbitral Tribunal in accordance with the terms hereunder shall be adjudicated by way of two consolidated Arbitrations in relation to Package 7A and Package 8B respectively and Siemens Pakistan Engineering Company Limited may submit a consolidated Statement of Claim notwithstanding the Statement of Claim already submitted before the sole arbitrator.

- iv. Notwithstanding and without prejudice to anything contained in Suit Nos. 517 and 546 of 2020, and J.M. Nos. 16 and 17 of 2024 or this statement, the Parties shall be at liberty to submit their respective claims, counterclaims, defences, and the like before the Arbitral Tribunal.”

In view of the foregoing, it is jointly pleaded that all four proceedings may be disposed of in terms aforesaid. Order accordingly. Contempt notice stands discharged. Office is instructed to place copy hereof in each connected file.

Judge