

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-2102 of 2015

Date	Order with signature of Judge
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Priority

- 1.For orders on Office Objection.
- 2.For hearing of main case.
- 3.For hearing of Misc.No.9239/2015

17.05.2018

Mr.Javed Akbar Bhatti, Advocate for the Petitioner.
Mr. Kashif Hanif, Advocate for PEMRA
Mr.Asim Mansoor, D.A.G.

The petitioner is one of the partners in the Partnership Firm registered under the name and style Delta Communication Network. Learned counsel for the petitioner pointed page-21 of the court file, which is a copy of License to Establish, Maintain and Operate Cable Television Network issued by PEMRA on 5.7.2010 under Class B-1 for operating the cable T.V. network at Muhammad Ali Society only. This license was issued in the name of Delta Communication Network. Learned counsel for the plaintiff further pointed out page-23 which is another license in the same category issued by PEMRA to the same firm for operation in DHA Phase 8 only.

On expiry of the original terms of licenses the petitioner being one of the partners of the firm applied for renewal. At this juncture, learned counsel for PEMRA submits that earlier another partner Khawaja Moinuddin was dealing the affairs of license with PEMRA. Counsel for the petitioner responded that he is still one of the partners of the firm. Learned counsel further argued that due to increase in number of subscribers the petitioner applied for the change of license category from B-1 to B-2 or B-3 which is also mentioned in their application. Though no specific date is mentioned on the renewal application but the courier receipt shows that it was dispatched on 13.3.2015, which is still pending without any progress in the matter. Counsel for PEMRA submits that the application should have been moved by Khawaja

Moinuddin who was earlier acting on behalf of the firm. However, this is a fact that two licenses were issued in the name of Delta Communication Network and the amended deed of partnership available at page 15 through which the petitioner was inducted as partner with 50% shares whereas 50% shares vests in Khawaja Moinuddin. The application is pending since long which should have been decided in accordance with law much earlier and the decision should have been communicated to the licensee. The PEMRA shall examine all relevant documents submitted along with the application and if need be they can also summon the partners of the Firm for query if any. After complying with all requisite formalities, the decision shall be communicated to the petitioner and if the petitioner is found eligible their license shall be renewed as per law. This exercise shall be completed within 20 day and decision shall be communicated in writing to the petitioner.

The petition is disposed of along with pending application.

Judge

Judge

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