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16/09/2011
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M/s Dara City Cable TV Network, a registered firm having its principal place at Market Chowk Naushero Feroze (now at Padidan Road Naushero Feroze) through its following partners:

- a) Haji Gahino Khan Tagar s/o Muhammad Hashim Tagar, Muslim, Adult, by caste Tagar, R/o Asif Colony, Naushero Feroze.
- b) Shahid Ahmed s/o Sher Muhammad, Muslim, Adult, by caste Shaikh, R/o Ward-A, Shaikh Mohalla, Naushero Feroze.

.....Petitioner

1. Federation of Pakistan, through its Secretary Information, Pakistan Secretariat Islamabad.
2. Chairman Pakistan Electronic Media Regulatory Authority (PEMRA), Mauve Area, Sector G-8/1, Islamabad.
3. Director General Licensing PEMRA Islamabad.
4. Regional General Manager PEMRA, Karachi
5. Deputy General Manager PEMRA, Shikarpur Road, Sukkur.
6. Afzal Jatoti, Inspector PEMRA, Shikarpur Road, Sukkur.
7. Station House Officer Police Station Naushero Feroze.

..... Respondents

The Petitioner most humbly and respectfully submits as under:-

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C.P.No.D 2570 of 2011.

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- 1.For Katcha peshi.
- 2.For hearing of CMA 8810/12.

21.11.2011. Mr.Mukesh Kumar G Karara advocate for petitioner.
Mr.Ali Gul Abbasi advocate for respondent Nos. 2 to 6.
Mr.Nizamuddin Baluch DAG.

Through this petition, the petitioner has prayed for the following relief:-

a. To direct the Respondents No.5 to 7 to act in accordance with law and not to harass, humiliate and stop the business of the petitioner without due course of law.

b. To restrain the Respondents No.5 to 7 from causing any type of harassment, pressure and mental torture by misusing their official powers, except in accordance with law, by granting injunction in favour of the petitioner.

Petitioner is a registered partnership firm in the name and style of M/s Dara City Cable, and provides the Cable T.V service to their customers within remit of Naushahro Feroze under valid license.

Grievance of the petitioner is that he is being harassed by respondent Nos.5 to 7 without any justification. Notices of proceedings were served upon the respondents and they filed their comments whereby they

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denied the allegations leveled against them. However, in comments the respondents have categorically stated that though the petitioners' company was granted license, but after differences between three partners of the company, each partner has established his separate Cable Network without any valid license or lawful authority.

We have heard the learned counsel for the petitioner, respondents and learned DAG.

From the pleadings it appears that there is a factual controversy, which cannot be resolved in this petition therefore while dismissing this petition, we direct respondents to act strictly in accordance with the law.


JUDGE

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Remit