

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-6524 of 2016

Date

Order with signature of Judge

Present

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Agha Faisal

1. For order on Misc. No.19125/2018.
2. For order on office objection.
3. For order on Misc. No.7182/2018.
4. For hearing of Misc. No.31402/2016.
5. For hearing of Main Case.

31.05.2018

Mr. Yasir Ahmed Shah, Advocate for the Petitioners.
Mr. Asim Mansoor Khan, Deputy Attorney General.
Mr. S.M. Zafar Imam, Deputy Director Marine Fisheries
Department.

Muhammad Ali Mazhar, J: Learned counsel for the petitioner at the very outset submits that this petition is pending since 2016. Virtually on instructions he does not want to reagitate the past and closed issues nor asking for renewal of the earlier licenses and or challenging the minutes of the meeting but he argued that the respondent No.1 has invited fresh tenders in different newspapers on 17.05.2018 for the award of Deep Sea Fishing Licences in different categories for which the petitioners are willing to apply afresh in accordance with the qualifications laid down in the tender documents. He further argued that earlier the same petitioners submitted application forms for different licenses but their applications were rejected without assigning any reason, so some directions may be issued to the respondents

to at least refund the fee paid by the petitioners along with previous application forms.

Mr. Asim Mansoor, Deputy Attorney General duly assisted by Mr. S.M. Zafar Imam, Deputy Director, Marine Fisheries Department submits that so far as the fresh applications for the fresh licenses are concerned, he endorsed that the tenders have been invited and the petitioners may also apply in accordance with the terms and conditions of the tender documents but the fee paid with earlier application forms cannot be refunded on rejection of applications, which fact was also mentioned in the earlier tender documents. However, the petitioners if so advised may apply to the Director General, Marine Fisheries Department, Government of Pakistan for the refund that will be entirely at the discretion of the competent authority to decide. Learned counsel for the petitioner agrees that proper applications for the refund will be submitted to the competent authority.

The petition is disposed of accordingly. If any such refund application is filed, the same shall be considered by the competent authority in accordance with law and decision shall be communicated to the petitioners.

JUDGE

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