

**IN THE HIGH COURT OF SINDH AT KARACHI****H.C.A. No.234 to 237 of 2022  
H.C.A. No.242 to 245 of 2022****PRESENT:****MR. JUSTICE AQEEL AHMED ABBASI  
JUSTICE MRS. KAUSAR SULTANA HUSSAIN**

Hearing/Priority

- 1.For hearing of main case
- 2.For hearing of CMA No.2181/22 (stay)

**25.08.2022.**

M/s. Makhdoom Ali Khan, Samiur Rehman &  
Abdul Sattar Pirzada, advocates for appellants  
in HCA Nos.234/2022

M/s. Abdul Sattar Pirzada, Mamoon N. Choudhry &  
Jibran Karim Pirzada, advocates for appellants  
in HCA No.235,236 & 237/2022 and for respondents  
in HCA No.242 to 245/2022

Mr. Faisal Siddiqui, advocate for respondents  
in HCA No.234 to 237/2022 and for appellant  
in HCA No.242 to 245/2022

Qazi Ayazuddin, Assistant Attorney General

**O R D E R**

Pursuant to Court's order dated 22.08.2022, learned counsel for the parties have filed a Joint Statement for disposal of all aforesaid High Court Appeals in terms of the said Agreement rendered between the parties and hence requested that aforesaid High Court Appeals may be disposed of accordingly.

Since the contesting parties in the above appeals have agreed for disposal of above appeals in terms of Joint Statement duly signed by the learned counsel for the parties to above appeals and there seems no impediment to grant such request on behalf of parties, accordingly, by consent, all aforesaid High Court Appeals are disposed of in terms of Joint Statement along with listed applications, whereas, contents of the Joint Statement are reproduced hereunder for the sake of convenience to constitute part of this Order:-

**“JOINT STATEMENT**

It is most respectfully submitted that pursuant to the order dated 22.08.2022, passed in the instant High Court Appeals, the parties hereto agree for the disposal of the instant appeals on the following terms:

1. The Impugned Order dated 13.6.2022 passed by the learned Single Judge in Suits No. 2272, 2273, 2455 and 2474 of 2021 be set aside.
2. Any and all bank guarantees submitted by Plaintiffs No. 2, 3 and 4 in Suit No. 2272 of 2021 and Plaintiffs No. 1, 2, 5, 6, 9, 11 and 18 in Suit No. 2273 of 2021 be discharged and returned to the said Plaintiffs through counsel immediately.
3. The Competition Commission of Pakistan shall not initiate any recovery proceedings against the Plaintiffs in Suits No. 2272, 2273, 2455 and 2474 of 2021 until the final decision of the appeals pending before the Competition Appellate Tribunal. This includes but is not limited to the withdrawal of all recovery notices/demands made by the Competition Commission of Pakistan to the said Plaintiffs and/or letters/correspondence/instructions issued to the banks for debit blocks and attachment of accounts.
4. The learned Single Judge shall frame issues in Suits No. 2272, 2273, 2455 and 2474 of 2021 and decide the said Suits expeditiously.
5. The Plaintiffs in Suits No. 2272, 2273, 2455 and 2474 of 2021, will be at liberty to raise before the Competition Appellate Tribunal, all grounds including but not limited to those pleaded in the said Suits as well as those relating to the lack of jurisdiction in the Commission and the constitutionality of Section 24(5) of the Competition Act 2010.
6. In view of the aforementioned terms as stipulated in Paragraphs 2 – 5 above, all the interim applications (CMA No. 16751 of 2021, CMA No. 16753 of 2021, CMA No. 18036 of 2021, CMA No. 18129 of 2021, CMA No. 20990 of 2021, CMA No. 20992 of 2021, CMA No. 20994 of 2021,

CMA No. 20996 of 2021) in Suits No. 2272, 2273, 2455 and 2474 of 2021 stand disposed of”.

Above High Court Appeals stand disposed of in the above terms along with all the listed applications

**JUDGE**

**JUDGE**

Ashraf