

ORDER SHEET.
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

CIVIL REVIEW APPLICATION NO. 29 OF 2025
IN
INTRA COURT APPEAL NO. 326 OF 2025

HAMDAM PAPER PRODUCTS (PRIVATE) LIMITED, KARACHI

Vs.

**FEDERATION OF PAKISTAN THROUGH SECRETARY,
COMMERCE AND INDUSTRY, ISLAMABAD AND OTHERS**

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	<u>23.10.2025</u>	<p>Malik Omair Saleem and Barrister Tofiq, Advocates for the Applicant.</p> <p>Mr. Abubakar Naeem, Advocate for Respondent No. 2 (NTC).</p> <p>Mr. Rais Mahmood Ali, Advocate for Respondent Nos. 4 and 5.</p>

1. The Applicant has preferred the instant Review Application under Section 114 and Order XLVII of the Code of Civil Procedure, 1908, seeking primarily to correct a clerical error in the order dated 08.10.2025 ("Impugned Order"), by having the date "25.10.2025" read and construed as "25.12.2025," and to consequently suspend any hearings or proceedings by the National Tariff Commission that are scheduled based on the incorrect date until this necessary correction is formally made by the court.

2. The facts in brief are that the core dispute between the parties, which become the basis for filing the titled I.C.A. was that the learned Judge in Chambers, granted insufficient time for a hearing, an action which is contended to be against the spirit of Rule 14 of the Anti-Dumping Duties Rules, 2022. The learned Division Bench, noting a consensus between the parties for a 15-day timeline, disposed of the appeal by directing the

National Tariff Commission to complete all proceedings, including a hearing for all concerned parties, by 25.10.2025.

3. The learned counsel for the Applicant contended that the Impugned Order contains a patent clerical error in directing the National Tariff Commission to complete proceedings by "25.10.2025." It was argued that this date creates a mathematical impossibility for compliance with mandatory statutory timelines under the Anti-Dumping Duties Rules, 2022, specifically Rules 14(3) and 15, which prescribe minimum periods for a public hearing, written submissions, and comments on the Statement of Essential Facts. Counsel submitted that compressing these steps into the truncated timeline would unlawfully deprive the Applicant of their statutory rights to due process and a meaningful hearing. Therefore, it was respectfully pleaded that the date was an inadvertent error intended to be "25.12.2025," and its correction is a proper subject for review to prevent a miscarriage of justice and ensure the order is implemented in conformity with the law.

4. The learned counsel for the Respondents No. 2, 4 and 5 argued that the Impugned Order is a product of mutual agreement, not judicial error. The Applicant expressly consented to the timeline and is now legally estopped from challenging it through a review, which is designed to correct judicial mistakes, not to nullify a party's own contractual agreement. A review is a narrow remedy for a "patent error," which is a glaring mistake obvious without debate. The date "25.10.2025" was a deliberate term of the settlement, not a clerical slip. The Applicant's grievance is merely that the agreed-upon timeline is now inconvenient, which is not a valid ground for review. The consent order itself

provides the Applicant's remedy, the right to challenge the NTC's final determination. The Review Application is therefore premature and an improper attempt to bypass the designated appellate process. The learned counsel lastly highlighted that the proceedings before the National Tariff Commission (NTC) have been ongoing for a considerable period. He submitted that the Applicant was already granted a specific opportunity of hearing. The entire purpose of the consent order was to expedite the long-pending final determination. The Applicant, having benefited from a protracted process, cannot now be allowed to further delay the culmination of the proceedings by seeking an extension on the very timeline it agreed to.

5. We have heard the learned counsel for the parties and perused the relevant record including the Impugned Order.

6. This Court finds immense force in the argument of the learned counsel for the Respondents that the Impugned Order was passed based on a consensus arrived at between the parties. The order itself is replete with references to the "agreement" of the appellants and the matter being "resolved gracefully." A consent order partakes the character of a contract between the parties, superimposed with the seal of the Court. It is well-settled law that a party cannot invoke the jurisdiction of review to wriggle out of a settlement to which it was a willing and conscious party. The Applicant cannot be heard to complain against an order which was passed at its own request and with its express concurrence.

7. The jurisdiction of this Court under Section 114 and Order XLVII of the CPC is not a remedy for every dissatisfaction with a court order. It is a limited

jurisdiction meant to correct glaring errors, not to re-open settled matters. The Applicant has failed to demonstrate any error apparent on the face of the record. The date "25.10.2025" was not a typographical or clerical mistake, it was the substantive outcome of a negotiated settlement. The hardship now pleaded by the Applicant, regarding compliance with statutory timelines, is a consequence of the agreement it entered into, not an error committed by this Court. To entertain such a review would be to convert this Court into a court of appeal from its own consent order, which is impermissible in law.

8. This Court consciously incorporated a clause in the Impugned Order preserving the right of any aggrieved party to challenge the NTC's final determination. This was done with foresight. The Applicant's apprehensions regarding procedural fairness and statutory compliance can be thoroughly agitated in an appeal against the final determination. This provides a complete and comprehensive remedy. The present application is, therefore, misconceived.

9. Accordingly, and for the reasons detailed supra, the Review Application is **dismissed**. Nothing in this order shall be construed as precluding the Petitioner from challenging the Impugned Order in accordance with the law before a competent forum.

(MUHAMMAD ASIF)
JUDGE

(MUHAMMAD AZAM KHAN)
JUDGE