

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD. **JUDICIAL DEPARTMENT.**

W.P No.464/2019.

Army Welfare Trust

Versus

Federation of Pakistan etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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06.	06.03.2020.	Syed Riaz Hussain, Advocate for the petitioner. Ms. Ruqia Samee, AAG for respondent No.1. Ch. Hafeez Ullah Yaqub and Ms. Zatoon Hafeez, Advocates for respondent No.3/SNGPL. Syed Jaffer, Law Officer, ORGA/respondent No.4.
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Through the instant writ petition, the petitioner has prayed
for following relief:-

“In the light of the above mentioned circumstances, it is most respectfully prayed that the instant writ petition be graciously accepted, and an order in the nature of mandamus be issued to the Respondent No.4 to immediately issue Gas Marketing Licence to the petitioner while the respondents No.1 to 3 be directed to commission the supply of gas to the petitioner’s CNG Station forthwith, without delay and under intimation to this Honourable Court. Any other relief deemed appropriate and necessary in the circumstances may also very graciously be granted in the interest of justice, equity and fairplay.”

2. Learned counsel for the petitioner contends that the petitioner is registered welfare organization under the Charitable Endowments Act 1890 and is aggrieved due to the denial by respondent No.4 to issue gas marketing licence despite the fact that all other similarly placed CNG stations have been granted this facility, even the applicant has been provided all kind of NOCs from SNGPL, NHA, IESCO, Tehsil Municipal Administration Fatah Jang, Civil Defence Authority, Attock, DCO, Attock etc; that respondent No.4 is under obligation to act

in accordance with law especially in terms of ORGRA Ordinance 2002 and CNG Rules 2002.

3. During the course of arguments, it has been observed that similar question has already been dealt by Hon'ble Bench-II of this Court in the following manner:-

"The petitioner applied for marketing license for establishment of CNG station. The matter is pending since long. OGRA has expressed inability to do the needful as it was stated on its behalf that the policy of Federal Government is not clear regarding supply of natural gas and/or LNG. In this behalf the statement made by Director General (Gas) is clear regarding policy of the Government. The Director General (Gas) also stated that in response to the letter written by OGRA the matter shall be clarified.

6. In view of above position, the instant petition is disposed of with direction to the petitioner to approach respondent No.4, the referred respondent shall process application of the petitioner in line with the policy of respondents No.1 to 3 for granting license to CNG stations. In this behalf, the respondents shall act in accordance with the rules, regulations and policy."

3. In view of above position, the instant writ petition stands disposed of with direction to respondent No.4 to decide the application of the petitioner in accordance with the rules, regulations and policy.

(MOHSIN AKHTAR KAYANI)
JUDGE