

HCJD/C-121
ORDER SHEET
ISLAMABAD HIGH COURT
ISLAMABAD

W.P No. 1318/ 2021

Hycarbex American Energy Inc.
Versus
Government of Pakistan, etc

S.No. of order/ Proceeding	Date of hearing	Order with signature of Judge, and that of parties or counsel, where necessary.
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09-04-2021 Mr Hamza Siddiqui, Advocate for the petitioner.

ATHAR MINALLAH, CJ.- The petitioner through this petition has assailed letter, dated 10.12.2018, whereby its exploration license was revoked.

2. The learned counsel for the petitioner has been heard at length. The learned counsel, taking a fair stance, has informed that the contract executed between the petitioner and the Government of Pakistan contains an arbitration clause. The learned counsel has also informed that a petition under section 20 of the Arbitration Act, 1940 was filed and the matter is pending before a competent court since the last two years. The learned counsel has further informed that respondent No.2 i.e. Director General Petroleum Concession has not yet filed its reply in the aforementioned arbitration proceedings. In response to this Court's query, the learned counsel has stated that the arbitration proceedings are pending before the court of Mr. Mubashir Hassan Chishti, learned Civil Judge.

3. In the light of the above, this petition in hand is not maintainable because the agreement contains an arbitration clause and pursuant thereto the jurisdiction of competent court has also been invoked. However, the assertion that the matter is pending since two years is alarming. The Member Inspection Team of this Court is directed to seek a report regarding the delay in deciding the arbitration petition.

4. The learned court where the proceedings relating to petition filed under section 20 are pending, is expected to decide the matter expeditiously, preferably within 60 days from the date of receiving a certified copy of this order.

5. The petition is accordingly disposed of.

(CHIEF JUSTICE)

*Asif Mughal/**