

Form No: HCJD/C-121.
ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

Writ Petition No. 2087 of 2020

CMPak Limited
Vs
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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<u>19-08-2020.</u>	Ms. Nida Aftab, Advocate (through video link) for the petitioner. Mr. M. Saifullah Gondal, Assistant Attorney General. Mr. M. Naeem Ashraf, Advocate for PTA. Mr. M. Khurram Siddiqui, Director Law, PTA.
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The petitioner Company through this petition has invoked the jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 assailing show cause notice, dated 07.07.2020 and letter, dated 14.02.2020.

2. The learned counsel has been heard at length. It is the case of the petitioner company that through an executive order, the relevant regulations could not have been altered/amended.

3. It would be appropriate not to make any observation lest it may prejudice the case of either of the parties. However, this

Court expects that Pakistan Telecommunication Authority, while deciding the show cause notice will, inter alia, take into consideration the grounds which have been raised or may be raised by the petitioner company during the proceedings, particularly the legal status of letter, dated 14-02-2020. In case the adjudicating authority finds the issuance of the letter in conflict with the notified rules, then in such an eventuality it will not be influenced with the contents thereof and decide the show cause notice through a speaking order.

4. The petition stands disposed of accordingly.

CHIEF JUSTICE

Saeed.