

IN THE HIGH COURT OF SINDH AT KARACHI

Before:

Ahmed Ali M. Shaikh, CJ

Yousuf Ali Sayeed, J

CP No.D-3684 of 2014

Gul Hasan and two others Versus Province of Sindh and others

Priority

1. For hearing of CMA No.3157/2017
2. For hearing of CMA No.18766/2014
3. For hearing of main case.

Petitioners through Mr. Muhammad Mansoor Mir, Advocate
Respondents No.1 and 2 through Mr. Abdul Jalil A. Zubedi, AAG
Respondent No.3 through Syed Sahib Bukhari, Advocate

Date of hearing 07.12.2021

ORDER

AHMED ALI M. SHAIKH, CJ.- In instant Petition, Petitioners, inter-alia, question the legality of the Notifications all dated 23.12.2013, issued by the Respondent No.3, cancelling of mining permits granted to them. The uncontroverted facts of the case as pleaded are that in 2007 four mining permits for Gravel, two in the name of Petitioner No.1 Gul Hasan and one each in the names of Petitioner No.2 Ali Hasan and M/s Mak Enterprises, were issued. However, the Appellate Authority/Respondent No.4 restored the four mining permit vide order dated 22.12.2017. In the meanwhile, the Petitioners approached the Respondent for renewal of the mining permits but out of four only two were renewed and representation to the extent of renewal of two remaining permits still pending.

2. At the very outset, Mr. Abdul Jalil Zubedi, learned AAG and Syed Sahib Bukhari, learned counsel for the Respondent No.3, invited out attention to the statement filed by the Respondent No.3 to the effect that grievance of the petitioners to the extent of restoration of the mining permits was redressed in the year 2017 and out of four, two permits have been renewed and fate of residual permits will be determined on merits subject to the recommendation of the Mining Committee. The statement filed by the Respondent No.3 alongwith its annexure is taken on record. Since the

grievance of the Petitioners has already been resolved by the concerned quarter and out of four permits, two have been renewed while fate of remaining will be decided on merits and in accordance with law and rules, as also reflected from the contents of the statement itself, the instant Petition stands disposed of accordingly alongwith pending misc. applications.

Chief Justice

Judge