

# **HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD**

**C.P. No.D-1873 of 2025**

[ Babar Ali v. Federation of Pakistan & others]

## **BEFORE:**

**JUSTICE ADNAN-UL-KARIM MEMON  
JUSTICE RIAZAT ALI SAHAR**

Mr. Shankar Lal Meghwar, advocate for the petitioner

Mr. Aslam Pervez Khan Advocate files Vakalatnama for respondent No.6, taken on record

Mr. Rafiq Ahmed Dahri, Asstt: A.G., along with Insp. Manzoor Ali for SSP Hyderabad, SIP Nazir Ahmed Shoro, for SHO PS Phuleli.

Date of hearing & decision: 25.11.2025

## **ORDER**

**ADNAN-UL-KARIM MEMON J -** The petitioner, through the captioned petition, has sought the following relief(s):-

- i. Declare that the act of Respondents No.6 and 7 in raiding and forcibly preventing the petitioner from reopening his LPG business without any lawful order, notice, or authority is illegal, arbitrary, mala fide, and violative of the petitioner's fundamental rights guaranteed under Articles 4, 9, 18, and 25 of the Constitution of the Islamic Republic of Pakistan, 1973;
- ii. Direct the Respondents, particularly Respondents No.6 and 7, to refrain from interfering in any manner with the lawful business operations of the petitioner carried out under a valid license and in accordance with OGRA regulations;
- iii. Declare that the petitioner, being a duly licensed and compliant LPG distributor, is entitled to carry on his lawful business without obstruction, harassment, or intimidation from any official or agency;
- iv. Restrain the Respondents, their agents, and subordinates from causing any further raids, threats, or coercive action against the petitioner or his business premises, except in accordance with law and due process;
- v. Direct Respondents No.1 and 3 (Federation of Pakistan through Ministry of Energy and Chairman OGRA) to ensure that the petitioner's lawful right to conduct business under his valid license is protected from unlawful interference by local authorities;
- vi. Grant such interim relief as this Honourable Court may deem just and proper, including temporary restraint orders against the respondents from taking any coercive or obstructive measures pending disposal of this petition;

2. The case of the petitioner is that he is a duly licensed proprietor and authorized distributor of Qureshi Gas Company operating under the name "Aslam Global Gas" within the jurisdiction of P.S. Phuleli, Hyderabad. About one and half years ago, LPG-related incident occurred in Pretabad area, after which several shops were sealed. The petitioner's shop was not amongst them, as he always complied with OGRA safety standards; that before the incident, Respondent No. 6 inspected his shop, noted minor deficiencies, and, through letter dated 28.03.2024, allowed to continue business after compliance; that despite having no notice against him, he voluntarily closed the shop when authorities directed LPG shops in the area to remain shut. Later, other shopkeepers filed CP No. 1492/2025 before this Court and were allowed to reopen; however, the petitioner when attempted to reopen following the same precedent, Respondents 6 and 7 raided his premises, stopped him from operating and demanded illegal gratification. The petitioner claims this caused financial loss, harassment, and violated his fundamental rights under Articles 4, 9, 18, and 25 of the Constitution.

3. The petitioner's counsel asserts that the petitioner has fully complied with all safety laws, no incident has ever occurred at his shop, and respondents are acting without lawful authority by threatening and attempting to seal his shop. He therefore seeks protection from harassment and permission to resume his lawful business.

4. Upon notice, SSP Hyderabad filed comments stating that the petitioner is operating legally; that the police have not interfered in the petitioner's business and denied any bribery or unlawful demand. Respondent No. 7 stated that inspections of LPG shops are being carried out to ensure compliance with SOPs due to past tragic incidents caused by negligence. He submitted that serious LPG explosions previously occurred and FIR No. 124/2024 involving 64 injuries and 27 deaths; and FIR No. 100/2025 involving another fatal explosion have been lodged. Due to these incidents, authorities are ensuring strict safety compliance in the public interest. Police submitted that LPG shopkeepers often avoid SOPs and seek court relief to bypass regulations, increasing public safety risks. They prayed to dismiss the petition.

5. Heard petitioner's counsel as well as the law officer and examined the record.

6. The petitioner claims unlawful interference by Respondents 6 & 7 in the operation of his LPG business, despite holding a valid license and having complied with OGRA safety standards. The respondents, however, deny allegations of harassment and assert that inspections are being carried out strictly in view of past tragic LPG explosions resulting in significant loss of life. The police have placed on record two major incidents, FIR No. 124/2024 involving 64 injuries and 27 deaths,

and FIR No. 100/2025 involving another fatal explosion, emphasizing the grave public risk associated with non-compliant LPG operations.

7. After hearing the parties and considering the material available, it is evident that LPG shops operating within densely populated public areas pose a serious threat to public safety if SOPs are not strictly adhered to. The past explosions, resulting in multiple fatalities, demonstrate that even a single lapse in compliance can lead to catastrophic consequences. Therefore, ensuring strict regulatory oversight and adherence to safety protocols is essential in the larger public interest. Accordingly, while the petitioner, if duly licensed, cannot be unlawfully prevented from carrying out his business, such business must be operated strictly in accordance with OGRA regulations, SOPs, and all applicable laws. At the same time, in order to safeguard public safety, LPG shops should not be allowed to operate in crowded public areas, markets, or locations where people ordinarily gather. Such businesses must be established and operated only at locations that do not endanger the general public.

8. In view of the above, this petition is disposed of in the following terms:

- i. The DIGP Hyderabad shall ensure public safety by taking all lawful measures to prevent incidents arising from unsafe LPG operations within the city and its suburbs.
- ii. The DIGP shall further ensure that all LPG shopkeepers strictly comply with the SOPs and safety standards duly issued by the competent authority.
- iii. LPG distributors and shopkeepers who hold valid licenses may continue their business strictly in accordance with the Constitution, the law, OGRA regulations, and approved SOPs, and only at locations that are not situated within crowded public places.
- iv. Police shall not harass or interfere with the lawful business of duly licensed operators, except in accordance with law, inspection powers, and due process.
- v. The petitioner is also required to fully comply with all safety protocols and ensure that his shop is not operated at a location posing a risk to the general public.

9. With these observations and directions, the petition stands disposed of.

JUDGE

JUDGE