

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No. D- 1671 of 2015

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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Priority Case:

1. For orders on office objection.
2. For hearing of Misc. No. 7212/15.
3. For hearing of main case.

11.12.2018.

Mr. Muhammad Mansoor Mir, Advocate for Petitioner.
Mr. Amar Yasir, Advocate for Respondent No.3.
Mr. Miran Muhammad Shah, Additional Advocate General.
Mr. Muhammad Habib Khan, AIGP Legal CPO Karachi.
Mr. Raza Mian DSP Legal.

The petitioner is a registered body and representative of Water Tankers Owners in the Karachi city. The grievance of the association on behalf of its members is that the official respondents are using water tankers of the petitioner's members for blocking the roads but this is being done without consent of the tankers owners and or their association. The petitioner has further prayed for the Writ of Mandamus against the respondents to compensate all the water tankers owners who are suffered financial loss due to engagement of their water tankers for the purposes of blocking roads to handle law and order situation as and when requires or to provide security and protection to different processions.

Mr. Muhammad Habib Khan, AIGP/Legal-II has submitted a statement for Inspector General of Police Sindh Karachi in which reference of letter dated 13.11.2018 is also being given, which was written by DIGP/Administration for Additional Inspector General of Police Sindh Karachi range to the Inspector General of Police Sindh Karachi. In this letter, he communicated that all issuance of Karachi range reported that any water tanker

is detained for any purpose. However, as and when any tanker/heavy vehicle of the members of association will be required, the government functionary will consult with the association. The DIGP Legal as well as DSP Legal both again are reiterated this statement that in future as and when services of any tanker will be required for any purpose, the association will be taken into confidence and without their consent they will not engage any tanker. At this juncture, the learned counsel for the petitioner submits that some directions may also be issued to pay the compensation in case any tanker is engaged even with the consent of the petitioner's association. In this regard, both officials present in court submit that naturally when the consent will be obtained from the petitioner's association the payment of compensation will also be discussed. The consent of the members of the association will be taken and the payment of compensation will also be discussed at the time of engagement.

Copy of this order may be transmitted to Inspector General of Sindh as well as learned Additional

Petition is disposed of.

Judge

Judge

AbRzk