

ORDER SHEET
HIGH COURT OF SINDH, KARACHI

C.P. No.D-6612 of 2018

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Agha Faisal.

Imtiaz Husstain & anotherPetitioners

Versus

Province of Sindh & others.....Respondents

Date of hearing 30.05.2019

M/s. Saifi Ali Khan and Sadaf Zahra advocates for the petitioners

Syed Ahsan advocate for the respondent No.3

Mr. Jawad Dero, Addl. A.G.

Ali Nasir, President and Imtiaz Hussain, General Secretary of
Anjuman-e-Imamia.

Ahmed Ali Siddiqui, Deputy Commissioner, Karachi East.

Lal Dino Mangi, ADC-II, Karachi East.

Muhammad Ali Mazhar, J: The bone of contention in this petition is that the petitioners and respondent No.3 through its General Secretaries are claiming that they have been issued valid permissions for holding procession and Majalis in the month of Moharram. The petitioners claim that their association was issued permanent permission for holding said procession and Majalis in Moharram. Their grievance is that Deputy Commissioner Karachi East has also issued NOC to Pak Moharram Association. On the contrary, learned counsel for the respondent No.3 submits that they have been issued NOC and permission 65 years back. Some other allegations have been leveled vice versa in this petition. The factual and controversial disputes cannot be decided in writ jurisdiction which is a well settled proposition of law but the claim

of both the parties can be decided by the Deputy Commissioner Karachi East after providing ample opportunity of hearing to the petitioners and representative/General Secretary of the respondent No.3. The Deputy Commissioner Karachi East present in court submits that he will provide ample opportunity of hearing to the parties and pass a speaking order. He submits that matter will be heard and order will be passed within twenty (20) days excluding Eid holidays. Petition is disposed of accordingly.

JUDGE

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