

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C. P. No. D-1721 / 2018

ORDER WITH THE SIGNATURE OF THE JUDGE

For orders on maintainability of petition.

29.10.2018

None present for the petitioner.

Mr. Mamoon N. Chaudhry, advocate for Respondents 4 to 7.

Mr. Miran Muhammad Shah, Addl: Advocate General.

On 15.03.2018, pre-admission notice was issued to the respondents subject to maintainability of instant petition wherein petitioner has prayed that Respondents 4 to 7 may be directed to pay the growers @ Rs.182/- per 40 Kg against the sugarcane which was supplied by them before passing consent order dated 30.01.2018, which order is available at page 39 of the file. This is a consolidated consent order passed in C.P. Nos. D-8666, D-7951 of 2017 and D-219 and D-440 of 2018.

Learned counsel for Respondents 4 to 7 has filed a statement alongwith photocopy of CPLA No. 1500/2018 to show that the same petitioners have challenged the order dated 30.01.2018 before the hon'ble Supreme Court.

Even otherwise, if the petitioner has any grievance against the said order, a proper course was to file a review application or appeal in Supreme Court, but there is no justification to challenge the order of one Divisional Bench before another Division Bench of this Court by filing a fresh Constitutional Petition. Since the aforesaid order has already been challenged before the hon'ble Supreme Court and the learned counsel for Respondents 4 to 7 in this regard has also filed a statement alongwith a copy of CPLA, therefore, this petition is not maintainable, which is dismissed accordingly.

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