

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
Suit 835 of 2020

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Order with signature of Judge

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For hearing of CMA 5816 of 2020

28.07.2020

Barrister Asad Khan, Advocate for the plaintiff.  
Mr. Zafar Hussain, Advocate for defendant 3.  
Mr. Shahab Ali, Law Officer FBR

In compliance of the order dated 24.07.2020, Mr. Shahab Ali, Law Officer, has placed on record a hearing notice dated 24<sup>th</sup> July, 2020, wherein the plaintiff has been directed to appear before the Chief Collector, on 05.08.2020, for hearing of the plaintiff's appeal against the impugned order on merits. Learned counsel for the department, as well as the law officer, submits that the appropriate appellate forum is proceeding with the amelioration of the grievance of the plaintiff, hence, it may be just and proper for the present proceedings to be disposed of with directions.

Learned counsel for the plaintiff is satisfied with the proposition advocated, however, submits that the Chief Collector may also be directed to consider the interim application of the plaintiff at the very onset, and render orders thereupon, and furthermore decide the entire appeal within a reasonable time.

In view hereof, and with the consent of the parties, this suit, and all pending applications, is disposed of with the following directions:

- a. The Chief Collector shall hear the appeal preferred by the plaintiff and decide the same in accordance with the law expeditiously, preferably within one month from the date of the first hearing, being 05.08.2020.
- b. The plaintiff's applications for interim relief shall be heard upon the first date of hearing and determined in accordance with the law, guided by the principles enunciated by the Superior Courts<sup>1</sup>.

Prior to parting herewith this Court records its appreciation for the assistance rendered by the law officer of the department.

J U D G E

Farooq PS/\*

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<sup>1</sup> *Sindh Employees Social Security Institution & Another vs. Adamjee Cotton Mills Limited* reported as *PLD 1975 Supreme Court 32*; *Imran Raza Zaidi vs. Government of Punjab & Others* reported as *1996 SCMR 645*; *Pak Saudi Fertilizers Limited vs. Federation of Pakistan & Others* reported as *2002 PTD 679*; *Kunwar Khalid Younus vs. Federation of Pakistan & Others* reported as *PLD 2002 Karachi 209*; *Pfizer Pakistan (Private) Limited vs. Federation of Pakistan & Others* reported as *2019 MLD 1849*.