

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-1750 of 2020

Date

Order with signature of Judge

Before:-

Mr.Justice Muhammad Ali Mazhar

Mr.Justice Yousuf Ali Sayeed

M/s.Maritime Lawn Event

Management Company.....Petitioner

V/s

Federation of Pakistan

& others..Respondents

08-09-2020

Mr.Rasheed Ashraf Mughal, Advocate for the Petitioner.
Mr.Kafeel Ahmed Abbasi, D.A.G.
Mr.Shaharyar Mughal, Assistant Advocate General.
Mr.Muhammad Irshad, HS/LT (Retired) P.N. Admin.
Officer, Naval Welfare Centre, Karachi.
Mr.Abid Qureshi, Advocate for Respondent No.5 (Navy
Welfare Centre).
Captain Nawaz Mirza, Deputy J.A.G.

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Muhammad Ali Mazhar, J: On last date of hearing
Mr.Muhammad Irshad, Admin. Officer, Naval Welfare Centre,
Karachi appeared and categorically stated that no tender was
published and Navy is running Bachat Bazar for the benefit of
their own personnel/officers.

2. Today, Mr.Abid Qureshi, Advocate appeared and filed
Vakalatnama for Respondent No.5 (Navy Welfare Centre). He
also submitted a statement duly signed by Admin Officer,
Pakistan Navy Welfare Centre, in which it is stated that the
purpose of "Troops Welfare Bazar" is to provide facilities to its
lower ranks for purchase of daily commodities at low price in

neat and clean environment with security at central place. It is further stated that no tender was published as Pakistan Navy is undertaking the project itself. He also attached a copy of letter dated 09.03.2020 communicated by Commander, (Retired) Pakistan Navy, Secretary, Navy Welfare Centre to the Vice Chairman Managing Committee with regard to establishment of troops welfare bazar at Navy Welfare Centre, which is reproduced as under:-

“ ESTABLISHMENT OF TROOPS WELFARE BAZAR
AT NWC

1. Apropos the presentation on the subject matter, following actions have been taken in compliance of the directions:

a. The order of the Hon'ble Supreme Court of Pakistan with respect to non-utilization of Military lands for commercial purposes is being adhered in the true letter and spirit.

b. The premises out sourced on license have already been vacated. The premises where the license termed had already been expired, have not been further extended on any term of license.

c. Notwithstanding the above, premises will only be utilized for welfare activities which have already been committed and scheduled.

d. With immediate effect, the lawns namely Ex-Naval Welfare Gardens (NWGs) 1, 2 & 3 have been converted into captive Troops Welfare Bazaars exclusively to be run under the arrangement of Pakistan Navy Welfare Center, Karachi.

e. The Troops Welfare Bazaars will be operated on no profit no loss basis and the yields of the activities shall be utilized only for upgrading and expansion of the said Bazaars.

f. The administration of the said Bazaars is being managed by the Secy NWC himself, through his staff

and other persons required essential have been engaged as already intimated.

2. This compliance is reported as desired.”

3. Since clear statement has been given by the respondent No.5 that no tender has been floated and Pakistan Navy is utilizing the premises for their own but the learned counsel for the petitioner still insisted that the land has been outsourced to some other party, which is a disputed question of fact that cannot be decided in the writ, however, on clear statement reproduced above, we find no illegality, the petition is disposed of accordingly.

Judge

Judge

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