

**ORDER SHEET**  
**HIGH COURT OF SINDH, KARACHI**

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C.P. No.D-4543 of 2020

<b>Date</b>	<b>Order with signature of Judge</b>
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**Present**

**Mr. Justice Muhammad Ali Mazhar.**  
**Mr. Justice Arshad Hussain Khan.**

Anjuman-e-Islamia Trust Pakistan,  
& another.....Petitioners

Versus

Federation of Pakistan & others .....Respondents

**Date of hearing 19.11.2020**

Mr. Ishrat Alvi advocate for the petitioners.

Mr. Abraiz Ali Khan advocate for the respondent No.5

Mr. Hussain Bhora, Assistant Attorney General.

Muhammad Aftab Qazi, Director, Department of Explosive.

Umer Farooq, Assistant Director, Department of Explosive.

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**Muhammad Ali Mazhar, J:** The petitioner is a Trust which is running Jinnah University for Women (petitioner No.2) since 1998 at Plot No.ST1/I, sub-block No.C in block No.5, Nazimabad. The respondent No.5 PSO is a tenant of petitioner No.1 and shares a common boundary wall with the petitioner No.2. It is further stated that the respondent No.5 entered into an agreement of lease with the petitioner No.1 for property bearing Plot No. ST-1/I sub block No. C in block No.5, Nazimabad measuring 1380 square yards for a term of 20 years which terms has expired on 31.12.2019. Learned counsel for the petitioners pointed out paragraph 8 of the petition which shows that blast occurred at the fuel station

on 01.09.2020 in the aftermath of which many people were left injured, various walls of the petrol station were completely destroyed and the incident was also reported in the print and electronic media. He further argued that the blast occurred due to non compliance of various applicable safety laws and after blast on 01.09.2020 the fuel station was nonfunctional but since 16.09.2020 the fuel station started some operation. The petitioner has sought the directions against the respondent No. 1, 2 & 4 to cancel the NOC accorded to respondent No.5 for operating fuel station at the premises in question.

2. On last date of hearing, Umer Farooq, Assistant Director, Explosive Department, Government of Pakistan was present. He was directed to call Muhammad Aftab Qazi, Director/Head of Explosive Department, Government of Pakistan who is present and he has submitted a cancellation letter dated 16.11.2020 conveyed to respondent No.5 for the cancellation of Pakistan State Oil Company Limited License for Metro Service Station Karachi and the learned counsel for the petitioner as well as Director Explosive Department both confirmed that this is a same premises which is in question. At this juncture, learned counsel for the respondent No.5 has filed counter affidavit and he submits that no such intimation of cancellation has been conveyed to the respondent No.5. The Director Explosive present in court submits that due to certain violations, the license has been cancelled and if respondent No.5 desires restoration of such license, they may

adopt procedure as laid down in the policy/regulations and Petroleum Act, 1934, Petroleum Rules, 1937 and Mineral & Industrial Safety Rules, 2010.

3. Since the competent authority has taken action and also issued a letter of cancellation. Learned counsel for the petitioner is satisfied. Petition is disposed of accordingly, however, respondent No.5 if aggrieved, they may seek appropriate remedy in accordance with law.

JUDGE

JUDGE

Aadil Arab