

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**C.P. No.D-1427 of 2021**

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Date	Order with signature of Judge
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**Present**  
**Mr. Justice Muhammad Ali Mazhar**  
**Mr. Justice Amjad Ali Sahito**

Mushtaq Ahmed Khan.....Petitioner

Versus

The Secretary, Ministry of Interior & others.....Respondents

**26.02.2021**

Raja Muhammad Ashraf, Advocate for the Petitioner.  
Mr. Sheheryar Mehar, A.A.G.

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1. Urgency granted.
2. Exemption granted subject to all just exceptions.
- 3&4. **Muhammad Ali Mazhar, J:** In fact the petitioner has approached this court for restraining order against the respondent No.3 not to register Sheheryar Tower Welfare Association for which application was submitted by respondent No.5. The petitioner is opposing the registration on the ground that the application for registration of the association was moved without NOC of the builders/petitioner and non-compliance of other legal formalities required for the registration. The respondent No.3 is bound under the law to process the registration and it is also his responsibility to look into whether all due formalities have been complied with at the time of filing application and after due diligence the association may be registered. When we asked the learned counsel whether the petitioner has filed any objections to respondent No.3 against the registration, he pointed out annexures P/5 and P/6 communicated to respondent No.3 but he further submits that

despite submitting objections no right of audience was provided. At this juncture the learned A.A.G. present in court proposed that some directions may be issued to respondent No.3 to consider the objections. This petition is disposed of alongwith listed application with the directions to respondent No.3 that at the time of considering registration in accordance with law the objections of the petitioner may also be considered and the right of audience be also provided to the petitioner and respondent No.5 before registration.

A copy of this order may be transmitted to the learned A.A.G.

Judge

Judge

*Asif*

