

ORDER SHEET

THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-6119 of 2020

Date	Order with Signature(s) of Judge(s)
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1. For order on C.M.A. No.26917/2020.
2. For order on C.M.A. No.26918/2020.
3. For order on office objection.
4. For hearing of C.M.A. No.26292/2020.
5. For hearing of main case

16.02.2021

Mr. Abraiz Ali Khan, advocate for the petitioner.
Mr. Ishrat Alvi, Advocate for the respondent No.6.
Mr. Faiz Durrani, Advocate for the Intervener.
Mr. Hussain Bohra, Assistant Attorney General.
Mr. Umer Farooq, Assistant Director, Explosive
Department, respondent No.3.

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On the last date of hearing counsel for the petitioner sought time to seek instructions whether the petitioner intends to file civil suit for extension of lease or not. Today, he has produced a copy of order dated 15th February, 2021 passed by the learned Single Judge in Suit No.314/2021 and argued that a suit for Specific Performance and Permanent Injunction has been filed. At this juncture, learned counsel for the petitioner submits that the respondent No.2 may be directed to grant provisional permission to run the petrol pump. In the order dated 21.01.2021 it is clearly mentioned that the objections raised by the Explosive Department have been rectified but Petrol Pump/CNG Station cannot be run without valid lease. Since the suit has already been filed where the petitioner may move an application for consideration of the learned single Judge. At this juncture, Mr. Faiz Durrani, advocate submits that he has also moved

C.M.A. No.26917/2020 on behalf of Fazal-ur-Rehman who wants to be impleaded as respondent as dealer of petrol pump whereas another C.M.A. No.26918/2020 has also been moved on behalf of Malik Abdul Ghafoor who is a CNG Operator of the said pump. Both the Interveners are at liberty to move proper application in the pending Suit No.314/2021 or may file their independent proceedings. Since the petitioners have filed suit and availed the proper remedy therefore, this petition is disposed of accordingly.

JUDGE

JUDGE

Arif

