

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-5841 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Fresh case

1. For order on CMA No.25010/2021 (U/A).
2. For order on CMA NO.24586/2021 (Exemption).
3. For hearing of Main Case.

04.10.2021

Mr. Riaz Ahmed Phulpoto, Advocate for the petitioners.

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1. Urgency granted.
2. Exemption is granted subject to all just exceptions.
3. The petitioners through this petition seek restoration of their status from being treated as blacklisted. The petitioners seek to have independent and uncontrolled right in terms of Article 18 of the Constitution of Islamic Republic of Pakistan, 1973, however, the facts of the case are that there was an independent FIR for unlawful removal of auctioned lot from PICT. Thus in consequence whereof not only FIR was lodged, but the interim challan was also submitted which is available at page-21-A as annexure-C. Article 18 of the Constitution does not mandate unbridled or uncontrolled exercise of rights. In terms of these facts, unless such allegations are taken to its logical end before forum having jurisdiction the exercise of discretionary powers, when equity is not in their favour, no indulgence could be given. The allegations of removal of the auctioned lot by the petitioner could not be lightly taken for restoration of their status. So proceeding be taken to its logical end which culminated into them being blacklisted. These facts also involve disputed question of facts and hence the instant petition is dismissed along with pending application(s).

JUDGE

JUDGE

Ayaz Gul