

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-6888 of 2021

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

1. For order on Misc No.29816/2021 (Urgent/App).
2. For order on Misc No.29817/2021 (Exemption/App).
3. For order on Misc No.29818/2021 (Stay/App).
4. For hearing of Main Case.

24.11.2021

Mr. Munir Iqbal, Advocate for the petitioner.

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1. Urgency granted.
2. Exemption is granted subject to all just exceptions.
- 3-4. Learned counsel for the petitioner after making efforts to argue and going through the provisions of Section 65 of the Cantonments Act, 1924 submits that since they are in occupation, they are liable to pay the outstanding amount of “taxes” allegedly recovered by the Cantonment Board Faisal, however landlord is not liable to pay. It is not for the present occupier to plead exemption for their landlord being PAF Base Faisal. In case PAF Base Faisal/landlord pleads exemption, it is for them to come forward and plead their case. The petitioner being an occupier has no locus standi to challenge such recovery. Petitioner otherwise, within the frame of Section 65 of the ibid Act may claim adjustment of payment of taxes, if any, in lieu of the demand notice issued and impugned in this petition to save itself from default.

This petition, as such, is dismissed alongwith pending application(s) on account of the fact that the petitioner has no locus standi.

JUDGE

JUDGE

Ayaz Gul