

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

C.P No. D-7465 of 2022

Dated Order with signature of Judge.

Fresh case

1. For order on Misc. No.31575/2022
2. For order on office objection No.26.
3. For order on Misc. No.31576/2022
4. For order on Misc. No.31577/2022
5. For hearing of main case.

07.12.2022.

Mr. M. Mansoor Mir, Advocate for the Petitioner

YOUSUF ALI SAYEED, J.- The Petitioner professes to be holding certain mining leases granted by the Competent Authority and has invoked the jurisdiction of this Court under Article 199 of the Constitution seeking a declaration that those permits are valid and subsisting till their respective dates of expiry, and it also being sought that a writ of quo warranto be issued against the SHO, P.S Gaddap City, district Malir to explain as to under what authority he has assumed the role of an officer of the Mining Department.

On query posed as to whether the grantor of the permits had disavowed the same or embarked on a process of revocation / cancellation, learned counsel for the Petitioner conceded that this was not so. On further query, as to how a Writ of Quo Warranto could be issued against the SHO, that too merely by designation, learned counsel was found wanting and merely fell back on the plea that the SHO was seeking to interfere with the Petitioner's enjoyment of the permits in as much as he

had filed certain adverse comments in a Cr. Misc. Application under 22-B Cr.P.C instituted by the Petitioner before the Court of District and Sessions Judge Malir. However, he conceded that the proceedings remained pending.

Under the given circumstances, we are of the view that the Petition is misconceived and devoid of merit, hence while granting the application for urgency we hereby dismiss the same in *limine* along with the other pending miscellaneous applications.

JUDGE

CHIEF JUSTICE