

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C. P. No. D-1257 of 2022

[Burshane LPG (Pakistan) Ltd. & others Vs. Federation of Pakistan & others]

C. P. No. D-1286 of 2022

[Asad Alam Niazi Vs. Federation of Pakistan & others]

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
------	-----------------------------------

Present:

Mr. Justice Muhammad Shafi Siddiqui, C.J.

Mr. Justice Omar Sial

For orders as to maintainability of petitions.

.....

10.09.2024

Mr. Mushtaq Hussain Qazi, Advocate for the petitioners.

Syed Hafiz Ibad, Advocate for SECP.

Mr. Faheem Raza, Advocate for FBR.

Mr. Khaleeq Ahmed, D.A.G.

.....

Muhammad Shafi Siddiqui, CJ.- While these two petitions were pending challenging the ingredients of the show cause notices based on anonymous complaints, the orders by the SECP through Executive Director, Adjudication Department, were passed. It is Mr. Qazi's case that notwithstanding such orders, the subject matter of these petitions is the anonymous complaints upon which the SECP acted followed by an inspection dated 04.08.2020. It was then followed by a show cause notice on which the above order was passed. Without prejudice to his rights as to the show cause notices, he submits that an independent challenge to those anonymous complaints and inspection has been raised in these petitions.

2. We have heard the learned counsels and perused the material available on record. While these petitions were pending since 28.02.2022, there is no such interim order. Based on the inspection report and show cause notices, comprehensive orders

were passed by the Adjudicating Authority of SECP rendering the subject challenge in these petitions as infructuous. Now if at all the petitioners are aggrieved of the conclusion drawn in pursuance of the show cause notices and inspection that was conducted earlier on 04.08.2020 merge into the orders filed by SECP through statements before us today, the petitioners may, if they so desire, take the matters to their logical end through the appellate forum by a challenge of the orders filed today. It is the petitioners' contention that they were / are prevented from filing appeals on account of pendency of these petitions; hence the time spent may be condoned. In such a situation, as and when appeals are preferred, the petitioners may assist the appellate forum in relaxation of time consumed in accordance with law and the matters may then be taken to their logical end. With this understanding of law, the petitions have become infructuous and are dismissed accordingly alongwith pending applications.

CHIEF JUSTICE

JUDGE

Asif