

ORDER SHEET

**IN THE HIGH COURT OF SINDH AT KARACHI**

**C.P. No. D- 5070 of 2023**

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DATE

ORDER WITH SIGNATURE OF JUDGE

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For hearing of main case.

**13.01.2025**

Mr. Shams Ansari, advocate for the petitioner.  
Ms. Summiya Kalwar, advocate for the respondent.  
Mr. Muhammad Kamran, Asstt. Advocate General Sindh.  
Mr. Zamir A. Khalid, Commissioner (Legal), SRB.

The prayer clause in this petition reads as follows:-

- a) Declare Sections 3(2) and 9(2) as ultra vires the Constitution.
- b) Declare that the impugned Notice dated 08.05.2021 (Annex A) and all subsequent orders passed by the respondent No.3, the Commissioner (Appeals) and the Appellate Tribunal has been issued without lawful authority and are of no legal effect.
- c) Grant cost.

2. Insofar as prayer clause (b) is concerned it is admitted that a reference is pending against the order of learned Appellate Tribunal and the said reference has been filed by the petitioner itself. Under such circumstances and even otherwise no case is made out to entertain this prayer clause.

3. Insofar as prayer clause (a) is concerned the learned counsel was confronted as to what provisions of the Constitution is offended by the impugned provisions, however, he remained unable to assist the Court.

Therefore, no case is made out to entertain this petition and the same is dismissed.

Judge

Judge