

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

C.P No.D-5572 of 2023.

Date: Order with signature(s) of the Judge(s)

Priority.

1. For Hearing of Misc. No. 25762/2023
2. For Hearing of Main Case.

13th September, 2024.

Mr. Ahmed Ali Hussain advocate for the Petitioner.
Mr. Farjad Ali Khan advocate for Respondent No.7.
Mr. Muhammad Qasim, DAG.

Admittedly Respondent No.7 was running a CNG Station and he has converted from CNG Station to Petrol Pump. Objection of the Petitioner is that there is no approved layout plan by Master Plan Authority as well as violation of criterion with regard to distance to be maintained if there is already petrol pump functioning. Learned counsel for the Petitioner relied upon case law reported in PLD 2010 Karachi 236.

Since this matter pertains to the functions of a regulatory authority and the dispute between the Petitioner and Respondent No.7 appears to be one of business rivalry as apparently the Petitioner is also running a petrol pump, hence, with regard to building plan or license if issued illegally, Petitioner has right to approach competent authority and they may decide the fate in accordance with law, therefore, Petitioner, if aggrieved, would be competent to file civil suit.

In view of above, instant petition is disposed of alongwith pending application[s].

JUDGE

JUDGE