

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P Nos.D-2595, 2726, 2893, 3097, 3098 and 3375 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Priority

1. For hearing of Misc. No.11267/2021 (Stay).
2. For hearing of main case.

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Dated 30.10.2024

Mr. Ali Nawaz Khuhawar, Advocate for the petitioners in
C.P. Nos.D-2595, 2726, 2893, 3097 and 3098 of 2021.

Mr. Kashif Hanif, Advocate for Respondent/SSGC a/w
Mr. Ammar Saleem Butt, Manager Legal SSGC.

Ms. Wajiha Mahdi, D.A.G.

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Petitioner Counsel for five of the six petitioners,¹ submits that he has impugned the Respondent/SSGC Notices of various dates,² issued to the Petitioner entity for allegedly unlawful load enhancement/increase of its gas load.³ The Respondent/SSGC claimed that the Petitioner entity had been sanctioned a monthly load which demonstrated their capacity of gas utility,⁴ when subsequently Respondent/SSGC found through its survey teams that Petitioner entity's gas consumption by way of connected load was more than the sanctioned load, inspite of a general notice which was apparently issued to industrial consumers sometime in October 2020 who were drawing more than their approved gas load to regularize their connections before 30.11.2020, failing which any quantity taken in excess of their approved gas load shall be charged at the full LNG price without exception or else they shall be curtailed to their approved gas load, but, according to Respondent/SSGC Counsel, the Petitioner allegedly took no

¹ (1-2) Al-Karam Towel Industries (Pvt.) Ltd. in CP Nos.D-2726, and D-2893/2021, Consumer ID Nos.57111700000 (Industrial Captive Tariff) and 9369811000 (Industrial Tariff) respectively; (3) Bari Textile Mills (Pvt.) Ltd. in CP No.D-2595/2021, Consumer ID No.8396605537; and (4-5) ISIS Pharmaceuticals & Chemicals Works in CP Nos. D-3097/2021 and 3098/2021, Consumer ID No.2459811000 (5) and 0849811000 (9) respectively.

² SSGC's Notices to (1-2) Al-Karam Towel Industries (Pvt.) Ltd. in CP Nos.D-2726, and D-2893/2021 two Notices both dated 07.04.2021 and 09.04.2021, respectively; (3) Bari Textile Mills (Pvt.) Ltd. Notice dated 05.12.2020 in CP No.D-2595/2021; and (4-5) ISIS Pharmaceuticals & Chemicals Works two Notices both dated 07.04.2021 in CP Nos. D-3097/2021 and 3098/2021, respectively.

³ One such SSGC Notice is available on page 101 of CP No.D-2893/2021.

positive action.⁵ Petitioner Counsel vehemently opposed Respondent/SSGC's submissions as well as denied the allegation of gas theft and tampering with the gas meter.

To resolve the matter amicably, the parties counsel, have agreed that the Petitioner entity shall immediately regularize its connected Gas Load through a new GSA of RLING with the Gas Load to be determined in the first instance, based on the last joint survey carried out by Respondent/SSGC, notwithstanding, that Respondent/SSGC reserves the right in its sole discretion to conduct a Joint Load Survey at the Petitioner entity's factory premises to assess its current gas load, afresh, and subject to the outcome of such fresh Joint Survey, as the case may be, to demand additional Gas Security Deposit ("GSD") as well as to charge the rate of RLNG as prescribed for the subject period. The recovery of unpaid amount, if any, found during this period will be treated as a normal load extension and will not be subject to late payment surcharge or any other penalty. The Petitioner will submit a fresh Undertaking as per practice to Respondent/SSGC and covenant to neither carry on any extension/alteration of the gas line nor connect any additional appliances nor increase the sanctioned load on its own for any reason whatsoever without obtaining prior approval of the Respondent/SSGC for such increase in load in writing. This entire exercise agreed upon today shall be reduced into writing in the form of an Agreement. The Respondent/SSGC allegation of theft and gas meter tempering stands withdrawn as conceded by Mr. Kashif Hanif, Advocate.

Accordingly, based on the parties' above understanding as recorded herein, the above Petitions are disposed of in the above terms with the entire exercise to be completed in six (6) months.

JUDGE

CHIEF JUSTICE

⁴ Available on page 65 of CP No.D-2893/2021.

⁵ Available on page 369 of CP No.D-28903/2021.