

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 5926 of 2024

Date

Order with signature of Judge(s)

1. For orders on CMA No.27956/2024.
2. For orders on CMA No.26299/2024.
3. For orders on CMA No.26300/2024.
4. For hearing of main case.

**17.12.2024**

Mr. Muhammad Aslam Bhutta, advocate for the petitioner.

Prayer clause in this petition reads as follows:

- “a. Declare and adjudge that the petitioner being a successful bidder in open auction held on 23.06.2023 as evident from the letter dated 04.08.2023 as issued by the Directorate General of Mines and Minerals Development Department for the lease of Limestone over an area of 200.0 acres near Ziarat Mai Garhi District Karachi, on the basis of payments of all required Government fees and charges thereof.
- b. Direct the Respondents to issue Mining Permit and work orders to the Petitioner, in terms of the letter dated 04.08.2023 and fulfillment of all other codal formalities.
- c. Restrict and Restrain the Respondents from publishing or calling for Re-auction and/or Re-inviting applications for issuance of mining Permits through open/repeat auction, for i.e. Limestone over an area of 200.0 acres near Ziarat Mai Garhi District Karachi, during pendency of these proceedings.
- d. Direct the Respondents to Pay the profits/markup on the investments as per the prevailing Bank Rates for the delayed period commencing from the date of payment of required fees/charges duly paid by the Petitioner upon the direction of the Respondents No.2 & 4.
- e). Any other relief which this Honourable Court may deem fit and proper in the circumstances be awarded.”

Prima facie, the petitioner seeks remedy with respect to some auction held on 23.06.2023 and despite repeated requests counsel could not displace the bar of laches. Even otherwise the petitioner seeks agitation of disputed question of facts not amenable for adjudication in writ jurisdiction. The petitioner made no effort to demonstrate having availed any departmental / appropriate remedy. While granting urgency, this petition is dismissed in limine alongwith pending application/s.

Judge

Judge