

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

**CP D 659 2025  
CP D 498 2025**

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Date	Order with signature(s) of Judge(s)
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1. For orders on office objection.
2. For orders on CMA No.3478/2025.
3. For orders on CMA No.3479/2025.
4. For hearing of main case.

**20.02.2025**

Mr. Abdul Moiz Jaferii, advocate for the petitioners.  
Mr. Ayan M. Memon, advocate for the respondent 3 in CP D 498 of 2024.  
Ms. Alizeh Bashir, Assistant Attorney General.

The representative facts are that thirty one petitioners have filed these 2 petitions seeking the following relief:

- I. Declare that the Petitioners qualify as industrial entities engaged in manufacturing and processing fish and are therefore entitled to be charged under the Industrial Tariff;
- II. Declare that wrongful imposition of Commercial Tariff on the Petitioners is illegal, arbitrary, and in violation of the applicable legal and regulatory framework;
- III. Direct the Respondent No. 3 to reclassify the Petitioners under the Industrial Tariff category and issue revised Electricity Bills accordingly;
- IV. Grant any such further/additional relief as may be deemed fit and proper by this Honourable Court.”

The relief sought is with respect to a NEPRA determination, however, writ is sought to be issued to respondent no. 3, being a listed public company. Learned counsel remained unable to assist as to how direct recourse to writ jurisdiction could be sanctioned notwithstanding the statutory scheme governing NEPRA actions and further made no attempt to demonstrate as to how a writ could be sought to a listed public company in the present facts and circumstances.

*Prima facie* the relationship between the petitioners and the respondent no. 3 is contractual in nature and writ jurisdiction is not amenable for agitation of such disputes *inter se*.

The declarations and direction sought are manifestly factual in nature; requiring inquiry, evidence etc. in the very least. Despite query, learned counsel did not assist as to how such a determination could be undertaken in writ jurisdiction.

Therefore, no case is made out to entertain these petitions in the discretionary writ jurisdiction of this Court, hence, these petitions are dismissed with all pending applications. Office is instructed to place a copy hereof in the connected file.

Judge

Judge