

**JUDGMENT SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD.**

DISTRICT SANGHAR

1. C.P. No.D-282 of 2025 [Sikander Ali v. Province of Sindh & others].
2. C.P. No.D-302 of 2025 [Azizullah v. Province of Sindh & others].
3. C.P. No.D-307 of 2025 [Mashooque Ali v. Province of Sindh & others].
4. C.P. No.D-316 of 2025 [Barkat Ali v. Province of Sindh & others].
5. C.P. No.D-320 of 2025 [Shoukat Ali v. Province of Sindh & others].

DISTRICT HYDERABAD

6. C.P. No.D-286 of 2025 [Ghulam Nazik v. Province of Sindh & others].
7. C.P. No.D-298 of 2025 [Muhammad Adil Akbar v. Province of Sindh & others].
8. C.P. No.D-305 of 2025 [Bhoongar Khan v. Province of Sindh & others].
9. C.P. No.D-306 of 2025 [Ahsan Ali v. Province of Sindh & others].
10. C.P. No.D-313 of 2025 [Asif Ali v. Province of Sindh & others].
11. C.P. No.D-317 of 2025 [Hussain Bux v. Province of Sindh & others].
12. C.P. No.D-318 of 2025 [Asif Ali Jamali v. Province of Sindh & others].
13. C.P. No.D-319 of 2025 [Manthar Ali v. Province of Sindh & others].

DISTRICT BADIN

14. C.P. No.D-299 of 2025 [Ghulam Murtaza v. Province of Sindh & others].
15. C.P. No.D-301 of 2025 [Liaquat Ali v. Province of Sindh & others].
16. C.P. No.D-304 of 2025 [Mazhar Ali v. Province of Sindh & others].
17. C.P. No.D-311 of 2025 [Naveed v. Province of Sindh & others].
18. C.P. No.D-312 of 2025 [Waqas Ali v. Province of Sindh & others].
19. C.P. No.D-315 of 2025 [Shafi Muhammad v. Province of Sindh & others].

DISTRICT TANDO MUHAMMAD KHAN

20. C.P. No.D-314 of 2025 [Muhammad Qasim v. Province of Sindh & others].

DISTRICT DADU

21. C.P. No.D-310 of 2025 [Riaz Ali Jamali v. Province of Sindh & others].

DISTRICT SHAHEED BENAZIRABAD

22. C.P. No.D-303 of 2025 [Rizwan Ahmed v. Province of Sindh & others].

DISTRICT MATIARI

23. C.P. No.D-308 of 2025 [Abdul Majeed v. Province of Sindh & others].

DISTRICT TANDO ALLAHYAR

24. C.P. No.D-309 of 2025 [Furqan Ali v. Province of Sindh & others].

Present:-

*Mr. Justice Zulfiqar Ali Sangi,
Mr. Justice Arbab Ali Hakro*

Date of hearing: 28.02.2025

Date of Decision: 28.02.2025

Mr. Zaheer Ahmed Ansari advocate for petitioner in C.P. No.D-301 of 2025.

Ms. Farida Naz advocate for petitioner in C.P. No.D-302 & 303 of 2025.

Mr. Rafique Khatti advocate for petitioner in C.P. No.D-313 of 2025.

Rest of the counsels in above petitions are called absent.

Mr. Muhammad Ismail Bhutto, Additional Advocate General Sindh.

J U D G M E N T

Zulfiqar Ali Sangi, J- Since all the aforementioned petitions deal with the same subject; therefore, the same are being disposed of through this single judgment.

2. The petitioners have essentially sought for direction against the respondents to issue necessary permission to them to run the Hotel during the holy month of Ramzan.

3. Learned A.A.G. Sindh present in Court in some other matters waives the notice and raised no objection for disposal of these petitions on the same terms as that of C.P. No.D-288 of 2025 and others.

4. The question involved in these petitions has previously come under consideration before different benches of this Court in multiple petitions, which were accordingly disposed of through detailed orders, out of which being orders dated 28.05.2018 passed in C.P. No.D-1007 of 2018 and others and dated 02.05.2019 in C.P. No.D-709 of 2019 and others. The ratio of these judgments was that while this Court does not have jurisdiction to pass appropriate orders on the merits of the application, however, proper jurisdiction is vested in the forums described in the judgments referred to above.

5. In view of these pronouncements, we dispose of these petitions with the direction that the applications of the petitioners, claimed to be pending before the concerned Deputy Commissioner, shall be decided within 07 days after receipt of this order. The decision must be made in light of the ratio set in the aforementioned judgments, after hearing the petitioners and determining whether their hotel or restaurant is situated in a location that qualifies for an exemption under Section 5 of the Ehtram-e-Ramazan Ordinance, 1981, which is reproduced as under:-

“Exemptions.— Nothing contained in section 4 shall apply in respect of --

(a) a canteen or kitchen maintained in a hospital for serving food to patients;

(b) A restaurant, or canteen, stall or wheel-barrow, or the holder of vending contract, within the premises of a railway station or in a train or a restaurant or canteen within the premises of an airport, seaport, or bus stand or in an aircraft;

(c) A kitchen or dining-car of a train; or

(d) a kitchen or canteen meant for children within the premises of a primary school.”

6. Petitions stand disposed of in the above terms.

A copy of this Judgment be communicated to the Deputy Commissioners of Districts Sanghar, Hyderabad, Badin, Tando Muhammad Khan, Dadu, Shaheed Benazirabad, Jamshoro, Matiari and Tando Allahyar for information and compliance.

JUDGE

JUDGE

Abdullah Channa/PS
Hyderabad
Dated 28.02.2025.