

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Const. P. 7753/2017 a/w

C.P.Nos.D-4128/2019 & 6547/2019, C.P.Nos.D-5713/2021, 5790/2021, 5791/2021 & 5792/2021, C. P. No.D-5856/2021, C. P. Nos.D-5752 of 2021, 1906/2011, 1943/2011, 1944/2011, 1945/2011, 2082/2011, 2141/2011, 2290/2011, 2331/2011, 2444/2011, 2568/2011, 2918/2011, 164/2016, 5045/2017, 6529/2017, 7165/2017, 7433/2017, 7452/2017, 7562/2017, 7605/2017, 7651/2017, 8005/2017, 8051/2017, 8731/2017, 1341/2018, 143/2018, 1533/2018, 26/2018, 5185/2018, 3841/2019, 1012/2020, 1038/2020, 1388/2020, 5905/2020, 593/2020, 6043/2020, 6153/2020, 621/2020, 622/2020, 797/2020, 805/2020, 841/2020, 844/2020, 874/2020, 982/2020, 1656/2021 and C.P. No.D-1721/2011

Date Order with signature of Judge

04.10.2021.

Advocates for Petitioners

Mr. Taimur Ali Mirza, Mr. Naeem Suleman, Mr. Amin M. Bundukda, Ms. Saima Faiz Durrani, Mr. Deedar Ali Bhtto, Ms. Soofia Saeed Shah, Mr. Faiz Durrani, Mr. Masood Anwar Ausf, Mr. Ghulam Muhammad, Mr. Fahad Khan, Syed Alamdar Hussain Naqvi, Mr. Yasir Ali & Mr. Mansoor Ali Ghangro

Advocates for the Respondents

Mr. Khalid Rajpar, Mr. Qaim Ali Memon, Mr. Kafeel Ahmed Abbasi, DAG a/w Mr. Hussain Bohra, Asstt. Attorney General
Mr. Saifullah, Addl. AG

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By a common order dated 4.6.2021 passed in CP No.D-3309 of 2011, a bunch of petitions was disposed of challenging the levy of infrastructure fee. Learned counsel for the petitioners submit that these cases i.e. at Sr.No.11, 20, 39 & 42 of the main list as well as Sr.No.10&11 of the addl. list involve the same controversy which was disposed of earlier by the above referred common order/judgment and hence effect of the same may also be applied to these cases *mutatis mutandis*. Learned DAG and Addl. AG concede to the same.

Accordingly, these cases are disposed of on the same terms as the earlier cases involving question of infrastructure fee were disposed of vide judgment dated 4.6.2021 passed in CP No.D-3309 of 2011. Thus effect of the said judgment shall apply *mutatis mutandis* on these cases.

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