

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P. No.S-354 of 2018

Shahmurad Sugar Mills Ltd.

Versus

Province of Sindh & others

Date: Order with signature of Judge

1. For hearing of main case.
2. For hearing of CMA 1360/18

Dated: 16.02.2018

Mr. Ahmed Masood for petitioner.

Mr. Shaharyar Mehar AAG along with Ms. Naheed Akhtar, State
counsel for official respondents.

Notices were issued twice through courier and registered post. Learned counsel for the petitioner at the very outset submits that insofar as the issue of local employment is concerned that is purely subject matter of another petition which is pending before the Division Bench of this Court in C.P. No.D-1067 of 2018. The scope of this petition is only confined to the extent that the alleged mob may not act in a manner that they may criminally trespass not only the property but virtually hamper the functioning and operation of the mill and the grievance in this regard was lodged/placed before official respondents i.e. respondent No.8 to 10 who however have provided no assistance in this regard hence petitioner has filed instant petition. Learned counsel submits that their ingress and egress has virtually been stopped as even sugarcane dumped in trucks and parked outside the mill cannot be taken in.

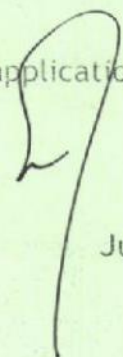
Learned AAG in attendance has supported the version as far as the allegations of criminal trespass is concerned and has filed statements/ comments on behalf of respondents No.9 and 10 wherein they have

stated that when they reached site, mob of 70/80 persons was found to have occupied the main gate of petitioner mill Shahmurad Sugar Mills and have installed a tent outside the main gate which has perhaps stopped operation of the mill.

On account of this alleged criminal trespass mill is virtually not in a position to carry out their daily operation and/or purchase the sugarcane at the rate approved by a learned Division Bench of this Court. Counsel for petitioner submits that they only seek protection from official respondent and their way to the mill should not be hampered so that the functioning and operation of the mill may continue. Only to this extent learned AAG has no objection and official respondents are also willing to provide assistance in this regard.

In view of the above and the comments filed by respondents No.9 and 10 the petition is disposed of with direction to the official respondents to carve out a mechanism so that ingress and egress of the petitioner mill is not hampered and that functioning of the petitioner mill may continue in accordance with law.

The petition stands disposed of along with listed application in the above terms.



Judge