

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P.No.D-4706 of 2023

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

- 1.For hearing of CMA No.21671/2023
- 2.For hearing of CMA No.21672/2023
- 3.For hearing of main case.

14.04.2025

M/s.M. Rehan and M.Umer Farooq, Advocates for the Petitioner.
Ms.Mehreen Ibrahim, Assistant Attorney General.
Mr.Habibullah Masood, Advocate for Respondent No.4.
Mr.Rajesh Kumar, Advocate for Respondent No.5.
Mr.Shajee Siddiqui, Advocate for Respondent No.6.
Mr.Tariq Ali, Advocate for Respondent No.9.

The prayer clause reads as follows:-

“(i) Declare that the actions of the Respondents, categorically Respondent No.3 in contracting out an initiating excavation of copper wires process with private parties without ascertaining the bifurcation of Respondent No.3 and Respondent No.4’s wires as illegal, malicious and without jurisdiction.

(ii) Declare that the actions and inactions of the Respondents being complacent with the profiteering and attaining financial gains by the Respondent No.3 by awarding contracts for re-pulling works across Karachi to private parties which includes the cable wires belonging to the Respondent No.4 as illegal and causing grave loss to the National Exchequer;

(iii) Grant Permanent Injunction restraining the Respondent No.3, their officers, agents, assigns and any person acting through or on behalf of them from awarding and/or executing any new contracts and/or carrying out cable re-pulling work across Karachi which lays the cable wires belonging to the Respondent No.4 without prior expert bifurcation exercise;

(iv) Grant Permanent Injunction restraining the Respondent No.3 their officers, agents, assigns and any person acting through or on behalf of them as well as any contractors from selling the copper wires belonging to the Respondent No.4 which have been fraudulently re-pulled or contracted to be re-pulled from the Telephone Exchanges across Karachi.”

Learned counsel for the petitioner remained unable to demonstrate any locus standi of the petitioner to seek the relief claimed. Article 199 clearly states that it can be invoked by an aggrieved person, other than in the cases of habeas corpus and quo warranto, however, the learned counsel is demonstrably not an aggrieved person in such regard. Even otherwise, the issue agitated involves disputed questions of facts, which is not amenable for adjudication in writ jurisdiction. Petition being misconceived is dismissed.

Judge

Judge

