

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 1362 of 2017
CPs D 2721 & 5964 of 2016
CPs D 1276, 1300, 1358, 1423, 2258, 3135, 417, 539, 577 & 7771 of
2017
CP D 203 of 2018

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For hearing of CMA No.7037/2017.
2. For hearing of main case.

22.04.2025

Messrs. Arshad Shehzad, Shehzad Ashraf, Asadullah Sheikh, Mukesh Kumar G. Karara, Abdullah Nizamani, Ali Akbar, Habib A. Kazi, Mujahid Bhatti, Muhammad Rehan and Sajid Ali Channa, advocate for the petitioner.

Mr. Hassan Mujtaba Abidi, advocate for the respondent/KMC.
Mr. Masroor Ahmed, advocate for the Karachi Water & Sewerage Corporation.
Mr. Manzoor-ul-Haq, Law Officer, State Bank of Pakistan.
Mr. Sandeep Malani, Additional Advocate General Sindh.

On the last date, following order was passed:

“16.04.2025

Messrs. Altamash Arab, Shahzad Ashraf, Mukesh Kumar G. Karara, Sajid Ali Channa, Adil Saeed, Abdullah Nizamani, Pir Haider Ali Shah, Asadullah Shaikh, Naeem Suleman, Arshad Hussain, Muhammad Ali Akbar, advocates for the petitioners

Mr. Mujahid Bhatti advocates for respondent

Mr. Iqbal Khuram, advocate holds brief for Mr. Hassan Mujtaba Abidi, advocate for KMC

Mr. Manzoor-ul-Haq, Law Officer, State Bank of Pakistan along with Sadam Hussain, ACM

Mr. Sandeep Malani, Assistant Advocate General Sindh

On the last date following order was passed:-

The petitioners have challenged a notice of demand issued under Section 80 and 81 of the West Pakistan Land Revenue Act, 1967. Per learned counsel no adjudication ever took place for determination of any amount. It is further stated that K.M.C. is bereft of any jurisdiction to impose the charges contemplated. Therefore, it is the petitioner's case that the impugned demand notices are prima facie illegal and cannot be sustained.

Brief is being held for K.M.C.'s counsel and adjournment is being sought. KW&SC remains unrepresented without intimation or justification. Issue direct notice to the K.M.C. and KW&SC for

16.04.2024, with directions to ensure proper representation. Interim order passed earlier to continue till the next date of hearing. Office is instructed to place copy of this order in connected matters.

Notice was issued to KMC and KW&SC for a fixed date and notwithstanding service thereof when the matter was called, KMC remained unrepresented. Upon request, the matter was taken up at the conclusion of the board so as to enable another opportunity for KMC to be represented. Once again a brief is being held and adjournment is being sought for no cogent reason whatsoever on behalf of KMC's counsel. Issue direct notice to the Mayor Karachi and M.D KW&SC to ensure that a senior officer conversant with the facts is available to assist the Court on the next date. To come up on 22.04.2025. Interim order passed earlier to continue till the next date of hearing. Office is instructed to place copy of this order in connected matters."

Today, Mr. Abdul Hannan, Senior Director, MUCT, and the learned counsel for the respondents state upon instructions that the impugned notices are being withdrawn forthwith, subject to the right of the respondent to initiate any proceedings as may be permissible under the law. In view of such material representation, the petitioners' learned counsel state that these petitions may be disposed of in the said terms. Order accordingly. Office is instructed to place copy hereof in the connected petitions.

Judge

Judge