

IN THE HIGH COURT OF SINDH KARACHI

CP No.D-105 of 2026

(M/s. New Vision Traders v. Federation of Pakistan and 05 others)

Date Order with signature(s) of Judge(s)

Before:

Justice Muhammad Saleem Jessar

Justice Nisar Ahmed Bhanbhro

1. For orders on office objection
2. For hearing of CMA No.677/2026
3. For hearing of CMA No.470/2026
4. For hearing of main case

Date of hearing and order: 21.01.2026

Mr. Muhammad Ali Phulpoto, Advocate for the Petitioner

Syed Shohrat Hussain Rizvi, Advocate for respondent No.5 as well as alleged Contemnor No.1

Ms. Zahrah Sehr Vayani, Deputy Attorney General

Mr. Abdul Jalil A. Zubedi, Assistant Advocate General a/w Arshad, SHO, Saddar, Karachi

ORDER

Nisar Ahmed Bhanbhro, J. Through this petition, the petitioner has claimed following relief(s):

- a) *To direct the respondent No.5 & 6 to perform their official duties in accordance with law and not take the law in their hands and the respondent No.5 & 6 have no any legal entity to seal the property I.e, property measuring sq. approximate 12971 feet located at (covered area 1254 sq. feet & open area 11717 sq. feet) PTCL (Closed/OSS) Wireless Compound, Plot No.196, Opp. JPMC, PTCL Staff Colony, Liaquat Barracks, Rafiqui Shaheed Road, to the respondent No.2/PTCL by Karachi leased out for 99 years the respondent No.1.*
- b) *To pass an order to de-seal the property i.e. property measuring approximate 12971 sq. feet located at (covered area 1254 sq. feet & open area 11717 sq. feet) PTCL (Closed/OSS) Wireless Compound, Plot No.196, Opp. JPMC, PTCL Staff Colony, Liaquat Barracks, Rafiqui Shaheed Road, Karachi with immediate effect to save Syrups, the Medicines, Injections, precious injections Elbomine Injection, NTT injection Takabayo, Hubayo Injection Felgin Gamaraz injections lying in cold storage/freezer.*
- c) *To take strict legal action against the respondents No.5 & 6 and their other companions and to punish them in accordance with law.”*

2. Learned counsel for the Petitioner contended that the Petitioner has obtained a lease of the property measuring approximately 12971 sq. feet located at (covered area 1254 sq. open area 11717 sq. feet) & PTCL (Closed/OSS) Wireless Compound, Plot No.196, Opp. JPMC, PTCL Staff Colony, Liaquat Barracks, Rafiqui Shaheed Road, Karachi and the

Cantonment Board Clifton (CBC) has no right or concern in the subject property; therefore, sealing of the property and its possession by CBC was illegal. He prayed to allow this petition.

3. Learned counsel for CBC has contended that the subject land was granted to the PTCL for the installation of wireless fittings to the PTCL. He further contended that PTCL authorities, by violating the agreement, sublet the premises to the petitioner, who without seeking permission from CBC has started commercial activities and for the aforesaid reasons, the property was sealed. He prayed to dismiss the petition.

4. Heard arguments of the parties and perused the material available on record.

5. Pursuant to the Court's orders, the property has been de-sealed. When confronted as to how the petitioner was carrying on the commercial activities over public property, learned counsel for the petitioner failed to justify; however, contended that Civil Suit No.11691/2025 has been filed by the petitioner against PTCL and CBC seeking enforcement of tenancy rights in the subject premises. It is an admitted position that CBC had leased the plot to the PTCL for the installation of public purposes and under the law it cannot be utilised for commercial activities. Since the CBC had already issued notice to the PTCL for enforcement of the lease rights, therefore, as an indulgence, six months' time is granted to the petitioner for settlement of the matter with CBC. It is observed that if the petitioner approaches CBC for allowing him to carry on commercial activities, appropriate orders under the law may be passed. After the passage of six months' time, if the petitioner is not granted permission by CBC, he shall vacate the premises by handing over its possession to CBC.

This petition stands disposed of in the above terms alongwith listed/pending application(s).

JUDGE

**JUDGE
HEAD OF CONST. BENCHES**