

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
C.P No. D-1127 of 2024
(Noor Muhammad v Province of Sindh & others)

Dated _____ Order with signature of Judge.

Before:-
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Zulfiqar Ali Sangi

Date of hearing and order: 28.4.2026

Mr. Muhamad Arif, Advocate for the Petitioner.
Mr. Abdul Jalil A. Zubaidi, Additional Advocete General.
Mr. Aftab Ahmed, Advocate for Respondent No.7.
Syed Sahib Bokhari, Senior Law Officer of Mines and Minerals Department.

ORDER

Adnan-ul-Karim Memon, J The Petitioner has challenged the extraction of minerals, particularly limestone, from 200 acres of land in District Thatta, contending that the original five-year lease has expired and that Respondent No.7 continues unlawful mining, including extraction of Ratti Bajri, beyond the permitted scope. It is further alleged that the authorities have failed to act and are favoring the private respondent.

2. A report submitted by the Deputy Commissioner, Thatta, revealed alarming findings, including three excavation points outside the sanctioned lease area. In response, counsel for Respondent No.7 relied on a notification dated 03.08.2023, asserting that the lease has been lawfully extended until 2033.

3. Due to inconsistencies in the official report and serious allegations of illegal extraction, this Court directed the Director General, Mines and Minerals Development, along with the Deputy Commissioner, to produce complete lease records, supporting documents, and a demarcation of the authorized mining area. They were also required to clarify whether mining activities complied with applicable laws and approved plans.

4. Subsequently, a progress report was submitted following a joint site visit. It stated that mining operations had already been stopped, no Ratti Bajri was found at the site, and the permits were limited to limestone and mouram. However, it also confirmed that both permit holders were in violation of lease conditions, including failure to submit monthly reports and install boundary markers, rendering them liable for action under the relevant mining laws.

5. Upon hearing the parties, this Court accepts the request of the Additional Advocate General to refer the matter to the competent authority. The case is remanded to the Director General, Mines and Minerals Development, to provide an opportunity of hearing to all concerned and to take appropriate legal action in case of established violations. However, it is made clear that the order dated 20.01.2026 shall remain intact.

6. Accordingly, the petition is disposed of in these terms.

JUDGE

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