

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-4383 of 2026
(M/s Pakistan State Oil Company Ltd (PSO) versus Province of Sindh and others)

Date	Order with signature of Judge
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Before:-
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing & Order: 03.8.2026

Mr. Asim Iqbal and Syed Maryam, advocates for the petitioner.
Mr. Abdul Jalil Zubedi, Addl. AG Sindh.

ORDER

Adnan-ul-Karim Memon, J. The petitioner, Pakistan State Oil Company Limited (PSO), being aggrieved by the sealing order dated 06.07.2026 passed by Respondent No.3, Assistant Commissioner Arambagh, whereby its petrol filling station situated at A.M.B. 11/121, Tughluq House Compound, Court Road, Karachi, was sealed, has invoked the constitutional jurisdiction of this this Court under Article 199 of the Constitution.

2. The petitioner’s counsel submits that it is a public listed State-owned company engaged in the business of petroleum products and has been operating the subject petrol filling station for several decades under valid approvals, licences, NOCs, and permissions issued by the competent authorities. It is urged that the premises belong to the Government of Pakistan and were originally allotted in 1963 to Services Welfare Organization for establishment of a petrol station. Subsequently, after transfer of ESSO's business operations, the petitioner continued the said business and obtained necessary licences from the Department of Explosives, including Petroleum Licence No. KAR-681-982/P, which remained renewed from time to time. It is submitted that the petrol station has continuously remained in lawful possession and operation of the petitioner for more than six decades without any objection regarding its legality, safety compliance, or regulatory requirements. It is submitted that after execution of a fresh registered lease deed dated 13.02.2025, the petitioner applied for renewal/fresh issuance of relevant licences and deposited the prescribed fee, while fully complying with all statutory requirements. However, on 06.07.2026 at about 8:30 p.m., Respondent No.3 abruptly sealed the petrol station without issuing any notice, show-cause notice, opportunity of hearing, or providing any reason or lawful basis for such action. The petitioner submits that the impugned action is arbitrary, unlawful, without jurisdiction, and in violation of the principles of natural justice and due process. The petitioner further submits that due to illegal

sealing, it has suffered substantial financial losses, including loss of business, blockage of petroleum stock stored in underground tanks, operational expenses, and loss of public revenue. He added that despite representation dated 07.07.2026 before the Commissioner Karachi seeking de-sealing, no relief has been granted. It is contended that the respondents have acted in excess of lawful authority and violated the petitioner's fundamental rights guaranteed under Articles 4, 18, 23 and 24 of the Constitution by interfering with its lawful business and property rights without following the procedure prescribed by law. The petitioner, therefore, seeks a declaration that the sealing action is illegal and without lawful authority, directions for immediate de-sealing of the petrol station, and restraint against further unlawful interference.

3. However, at this stage, after arguing the matter at some length, learned counsel for the petitioner pointed out that in the intervening period the subject premises were de-sealed and now seeks disposal of the petition in terms that if the respondents have any intention to seal the property in future, the petitioner must be heard before taking any coercive action.

4. Learned AAG submits that every action of the State is subject to law and the petitioner shall also be heard if they have any intention to take any coercive action against the petitioner-company.

5. We have heard the learned counsel for the petitioner as well as the learned Additional Advocate General and have examined the material available on record.

6. It is an admitted position that the petitioner is a public sector company engaged in the business of petroleum products and has been operating the subject petrol filling station for a considerable period under various approvals, licences, permissions, and NOCs issued by the competent authorities.

7. The grievance of the petitioner primarily relates to the sealing of its petrol station by Respondent No.3 without affording any prior notice, opportunity of hearing, or communicating the reasons forming the basis of such action, though subsequent de-sealed.

8. It is a settled principle of law that every administrative or executive action of the State and its functionaries must conform to the Constitution, statutory provisions, and the principles of natural justice. It is settled that where an action is likely to adversely affect the civil rights, property interests, or lawful business activities of any person or entity, the concerned authority is required to act fairly, reasonably, and in accordance with the procedure prescribed by law. The

requirement of hearing is an essential safeguard against arbitrary exercise of authority and ensures transparency and fairness in administrative decision-making.

9. In the present matter, learned counsel for the petitioner has confined his request that any future action by the respondents shall be undertaken strictly in accordance with law and only after providing an opportunity of hearing to the petitioner.

10. The learned Additional Advocate General has also fairly submitted that every action of the State shall remain subject to law and that the petitioner shall be afforded an opportunity of hearing before taking any coercive measure.

11. In view of the above statement made by the learned AAG and the assurance furnished on behalf of the respondents, no further adjudication on the merits of the controversy is required at this stage. However, it is clarified that the respondents, while exercising their statutory powers, shall strictly adhere to the principles of natural justice, due process, and fair play. Any proposed coercive action against the petitioner in future shall only be taken after issuance of appropriate notice, affording reasonable opportunity of hearing, and passing a speaking order with reasons justification in accordance with law.

12. Accordingly, with the consent of the parties, the instant petition is disposed of with the direction that in the event the respondents intend to take any coercive action against the petitioner-company, including sealing or closure of the subject petrol filling station, the same shall be undertaken strictly in accordance with law and only after providing the petitioner an opportunity of hearing. The respondents shall remain at liberty to proceed in accordance with law, and the petitioner shall also be bound to comply with all applicable statutory requirements. However with no order as to costs.

JUDGE

JUDGE