

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP No.D-5875 of 2025
(Alliance Sugar Mills Ltd v Province of Sindh & others)

DATE	ORDER WITH SIGNATURE OF JUDGE
	Mr. Justice Adnan-ul-Karim Memon Mr. Justice Zulfiqar Ali Sanghi

Date of hearing and order:- 28.01.2026

Mr. Muhammad Umar Soomro, Advocate for the Petitioner.

Mr. Abid Jaleel Zubedi, Assistant A.G, Sindh.

Anwar Ali Khetran, SSP Ghotki.

Raza Mian, DSP Legal, CPO Karachi.

Rafiq Ahmed Soomro, SIP/SHO of PS Obaro.

Asif Aziz, on behalf of Commissioner Hyderabad.

O R D E R

Adnan-ul-Karim Memon, J.- Petitioner Alliance Sugar Mills Limited has filed this petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking the following relief:

- i. ***Declare that the actions of the Respondents in sealing the Subject Property of the Petitioner located at Main KLP Road, Rasheedabad Tehsil Ubauro, District Ghotki, are illegal, unlawful, arbitrary, lack jurisdiction, and have no legal effect.***
- ii. ***Direct the Respondents to immediately de-seal the Subject Property and allow the Petitioner to conduct lawful business operations from the Subject Property without any hindrance or obstruction by the Respondents.***
- iii. ***Permanently restrain the Respondents from interfering with the peaceful and lawful possession of the Petitioner, or otherwise dealing with the Subject Property in a lawful manner, including but not limited to conducting lawful trade/business activities on it and therefrom.***
- iv. ***Direct the respondents not to harass and / or take any coercive measures against the employees, workers and the management of the Petitioner and this Honourable Court.***
- v. ***Direct the Respondent No.3 and his subordinates to act strictly in accordance with the law.***
- vi. ***Pending the disposal of this petition, restrain the Respondents from interfering with and or obstructing the lawful business of the petitioner without due process of law.***
- vii. ***Grant any other relief that this Hon'ble Court may deem just and proper in the facts and circumstances of this case.***

2. The case of the Petitioner, Alliance Sugar Mills Limited (ASML), is that its sugar mill located at Main KLP Road, Rasheedabad, Tehsil Ubauro, District Ghotki, was unlawfully sealed by Respondent No.5 on instructions of certain high-ranking officials, without any lawful order, notice, or justification. It is submitted that the sealing was arbitrary, illegal, and malicious, allegedly to benefit certain influential persons within the Government, and has directly violated the Petitioner's fundamental rights under Articles

4, 10-A, 18, 23, and 24 of the Constitution of Pakistan, 1973. It is added that the unlawful closure prevented growers from delivering sugarcane, halted production, and disrupted the mill's operations, causing massive financial losses to the company and its stakeholders. Thousands of farmers, workers, and associated families rely on the mill for their livelihoods; their annual sugarcane crop is deteriorating due to the closure, creating serious socioeconomic consequences. The Petitioner also highlights that it is obligated to commence crushing for the 2025–26 season pursuant to Government of Sindh notifications and the Sugar Factories Control Act, 1950.

3. The Petitioner's counsel submits that all attempts to seek clarification or remedy from the Respondents were ignored. Prior to sealing, trucks carrying sugar were unlawfully detained, drivers harassed, and employees falsely implicated in FIRs during peaceful farmer protests, as substantiated by photographs, videos, and news reports. ASML, a major industrial unit with a crushing capacity of 12,000 metric tons per day and a 13.5 MW captive power plant, supports thousands of direct and indirect employees and significantly contributes to the regional economy. The Respondents' actions constitute abuse of power, violation of natural justice, and disregard of procedural safeguards, causing irreparable financial, social, and operational harm. The Petitioner's operations were unlawfully impeded by police blocking ingress and egress and preventing growers from delivering sugarcane, with heavy machinery brought near the premises, raising fears of damage. This Court, vide orders dated 04.12.2025 and 13.01.2026, granted interim protection and directed the I.G. Sindh Police to take disciplinary action against delinquent officials. The Cane Commissioner reported that the Mill had been sealed on 01.12.2025 and de-sealed on 08.12.2025 without authority under the Sugar Factories Control Act, and the Mill is now free to operate.

4. This Court, vide order dated 04.12.2025, directed that no coercive action, including demolition, shall be taken against the Petitioner's premises. Subsequently, vide order dated 13.01.2026, this Court observed that the Petitioner, a Sugar Mill, had its operations unlawfully obstructed by police personnel stationed around the premises, blocking ingress and egress and preventing growers from delivering sugarcane. Heavy machinery had also been brought nearby, raising concerns of potential damage. This Court directed that interim protection would continue, no coercive action or police interference would be permitted, and the I.G. Sindh Police was directed to take disciplinary action against any delinquent officials in case of violation of the Court's order. In compliance, the Commissioner submitted that neither they nor the Sugar Factories Control Act, 1950, authorize them to seal or de-seal any sugar mills without valid reason. He submitted that the Mill had been sealed on 01.12.2025 and de-sealed on 08.12.2025 by the local police, and is now free to operate lawfully.

5. Regarding the directions to take action against delinquent police officials, the I.G. Sindh reported, quoting the Deputy Inspector General Sukkur Rangers' enquiry Letter No. Legal/DIGP/390/2026, dated 26.01.2026, that no unlawful action or defiance of the

Court's order had occurred, though all relevant police officers were strictly directed to act in accordance with the law.

6. The I.G. Sindh's enquiry as ordered by this Court found no unlawful action but officers were directed to act according to law. *Prima facie* the I.G.'s reply is unsatisfactory however, future police interference must be met with disciplinary and legal action, while lawful action against violators remains permissible.

7. From the record and the submissions of the Petitioner, it is noticed that Alliance Sugar Mills Limited (ASML) faced unlawful obstruction of its lawful business operations, including the sealing of its premises and detention of trucks, which directly affected the livelihoods of growers, employees, and other stakeholders. The Petitioner's fundamental rights under Articles 4, 10-A, 18, 23, and 24 of the Constitution of Pakistan, 1973, were invoked due to arbitrary and high-handed actions by the Respondents.

8. This Court had previously issued protective orders on 04.12.2025 and 13.01.2026, directing that no coercive action, including demolition, be taken against the Mill and ordering the I.G. Sindh Police to take disciplinary action against any delinquent officials. The Commissioner and Cane Commissioner have clarified that the Mill was sealed by the local police on 01.12.2025 and de-sealed on 08.12.2025 without statutory authority under the Sugar Factories Control Act, 1950, and that the Petitioner is free to operate its business in accordance with law.

9. The enquiry conducted by the Deputy Inspector General Sukkur Range, reported through the I.G. Sindh, found no unlawful act by police officials but emphasized that all officers must act strictly in accordance with the law. While the Court notes that the I.G.'s response is *prima facie* unsatisfactory, it reaffirms that any future interference with the Mill by police officials shall attract appropriate disciplinary and legal action, while lawful measures against actual violators remain permissible, as discussed *supra*.

10. In view of the above, we are of the considered view that the Petitioner is entitled to continue its lawful operations without hindrance, and the Respondents are restrained from any arbitrary action against the Petitioner, subject to all just exceptions as provided under the law. All directions of this Court concerning protection of the Petitioner's rights and disciplinary action against delinquent officials shall remain in effect.

11. Accordingly, the petition along with pending application(s) is disposed of in the above terms.

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