

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
CP D 3860 of 2019**

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**Order with signature of Judge**

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**Present: Mohammad Ali Mazhar and Agha Faisal, JJ.**

**M/s E-ZEE Travels (Pvt.) Ltd.  
Vs.  
Government of Sindh and others**

- 1. For hearing of CMA 17197 of 2019*
- 2. For hearing of main case*

**24.09.2019**

**Molvi Iqbal Haider, Advocate for the petitioner.  
Mr. Jawad Dero, Additional Advocate General Sindh.**

**Mukhtiar Ali, Law Officer, Directorate of Tourism  
Services, Tourism Department.**

**Muhammad Ali Mazhar J.-, Petitioner has filed this petition to challenge the letter dated 10.10.2017 which according to the petitioner was issued without providing any opportunity of hearing and the license of the petitioner was cancelled. The order dated 10.06.2019 shows that during pendency of this petition the same petitioner also filed an appeal before the respondent No.2 which was pending, therefore, the learned Divisional Bench also directed the respondent No.2 to decide the pending appeal of the petitioner. The petitioner again come up with the grievance that the appeal has not been decided on merits. Today, Mr. Mukhtiar Ali, Law Officer, Directorate of Tourism Services, Tourism Department, Government of Sindh submitted a copy of order dated 19.09.2019 to show that despite various opportunities nobody appeared for the petitioner, therefore, the appeal was dismissed for non-prosecution. Learned counsel for the petitioner argued that on that day the associate of the petitioner's counsel was present and requested for some time but on the same day the**

appeal was dismissed for non-prosecution. On the contrary, the Law Officer submits that the junior counsel was called upon to submit the Vakalatnama which he failed to submit. The learned A.A.G. proposed that this petition may be disposed of with some directions to the Secretary Culture and Tourism, Government of Sindh to decide the appeal on merits.

The order dated 19.09.2019 whereby appeal was dismissed for non-prosecution is set aside and matter is remanded back. Learned counsel for the petitioner is directed to file Vakalatnama on behalf of the petitioner before the Secretary, Culture and Tourism, Government of Sindh. The Secretary will fix the date of appeal and intimate the date of hearing to the counsel for the petitioner and decide the appeal on merits within a period of one month. At the time of passing of order on appeal all replies/documents submitted by the petitioner shall also be considered. This petition is disposed of in the above terms alongwith pending applications.

**J U D G E**

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