

ORDER SHEET

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Present:

**Justice Arbab Ali Hakro
Justice Muhammad Hasan (Akber)**

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| 1. | C.P No.D-121 of 2026 | Gangaram v. Province of Sindh and others |
| 2. | C.P No.D-124 of 2026 | Teekam Das v. Province of Sindh and others |
| 3. | C.P No.D-125 of 2026 | Khan Muhammad v. Province of Sindh and others |
| 4. | C.P No.D-129 of 2026 | Aachar Ali v. Province of Sindh and others |
| 5. | C.P No.D-131 of 2026 | Abdul Razzaq v. Province of Sindh and others |
| 6. | C.P No.D-134 of 2026 | Liaquat Ali v. Province of Sindh and others |
| 7. | C.P No.D-135 of 2026 | Waljee v. Province of Sindh and others |
| 8. | C.P No.D-136 of 2026 | Mir Muhammad v. Province of Sindh and others |
| 9. | C.P No.D-137 of 2026 | Ghulam Mustafa v. Province of Sindh and others |
| 10. | C.P No.D-138 of 2026 | Faisal Iqbal v. Province of Sindh and others |
| 11. | C.P No.D-139 of 2026 | Shahnawaz v. Province of Sindh and others |
| 12. | C.P No.D-140 of 2026 | Rizwan v. Province of Sindh and others |
| 13. | C.P No.D-143 of 2026 | Muhammad Arif v. Province of Sindh and others |
| 14. | C.P No.D-145 of 2026 | Sadam Hussain v. Province of Sindh and others |
| 15. | C.P No.D-146 of 2026 | Ahsan Iqbal v. Province of Sindh and others |
| 16. | C.P No.D-147 of 2026 | Abid Iqbal v. Province of Sindh and others |
| 17. | C.P No.D-148 of 2026 | Muhammad Anees v. Province of Sindh and others |
| 18. | C.P No.D-149 of 2026 | Ahmed v. Province of Sindh and others |
| 19. | C.P No.D-150 of 2026 | Imran v. Province of Sindh and others |
| 20. | C.P No.D-151 of 2026 | Muhammad Anwar v. Province of Sindh and others |
| 21. | C.P No.D-152 of 2026 | Malook v. Province of Sindh and others |
| 22. | C.P No.D-155 of 2026 | Hayat v. Province of Sindh and others |
| 21. | C.P No.D-156 of 2026 | Wali Muhammad v. Province of Sindh and others |
| 22. | C.P No.D-158 of 2026 | Aijaz Ahmed v. Province of Sindh and others |
| 23. | C.P No.D-159 of 2026 | Mir Munwer v. Province of Sindh and others |
| 24. | C.P No.D-161 of 2026 | Saleem v. Province of Sindh and others |
| 25. | C.P No.D-162 of 2026 | Gul Muhammad v. Province of Sindh and others |
| 26. | C.P No.D-163 of 2026 | Muhammad Ishaq v. Province of Sindh and others |
| 27. | C.P No.D-164 of 2026 | Rana Muhammad Shahzad v. Province of Sindh and others |
| 28. | C.P No.D-165 of 2026 | Jan Muhammad v. Province of Sindh and others |
| 29. | C.P No.D-166 of 2026 | Muhammad Zahid v. Province of Sindh and others |
| 30. | C.P No.D-168 of 2026 | Bilawal v. Province of Sindh and others |
| 31. | C.P No.D-169 of 2026 | Muhammad Qasim v. Province of Sindh and others |
| 34. | C.P No.D-170 of 2026 | Abdul Latif v. Province of Sindh and others |
| 35. | C.P No.D-171 of 2026 | Muhammad Ismail v. Province of Sindh and others |
| 36. | C.P No.D-172 of 2026 | Jan Muhammad v. Province of Sindh and others |

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| 37. C.P No.D-173 of 2026 | Sikandar Ali v. Province of Sindh and others |
| 38. C.P No.D-174 of 2026 | Muhammad Anwar v. Province of Sindh and others |
| 39. C.P No.D-176 of 2026 | Haji Khan v. Province of Sindh and others |

Date of hearing: 18.02.2026

Date of Decision: 18.02.2026

M/s Aakash Kumar, Hassan Mal Bheel, Mir Muhammad Nohri, Aashiq Ali Bajeer, Anand Kumar Khatri, Karamullah Memon, Sajjad Ali Gopang, Wishandas Kolhi, Santosh Kumar Khatri, Abdul Aziz Malik, Mir Ali Bux Talpur, Nadeem Abbasi, Osaf Rasool Shah, Shahroz Ali Mehar, Damoon Mehrani, Irfan Umrani, Muhammad Saleem Kunbhar, Muhammad Siddique Chandio, Arif Muhammad Dal, Muhammad Iqbal Karim, Shahnawaz Ali Kunbhar, Ghulam Saeed Arain, Tilok Chand, Advocates for the petitioners

Mr.Ayaz Ali Rajper, Assistant A.G Sindh (present in Court in other matters waives notice of these petitions)

ORDER

ARBAB ALI HAKRO, J. Since all the aforementioned petitions raise an identical question of law and revolve around the same factual matrix, they are being decided through this consolidated order to avoid multiplicity of proceedings and to ensure uniformity in the adjudication of the issue involved.

2. The petitioners seek a writ of mandamus directing the official respondents to grant the requisite permissions enabling them to operate their respective hotels, restaurants, pakora shops, biryani shops, juice corners, bakers or similar establishments during the holy month of Ramzan. Their grievance is that despite submitting applications before the competent authorities, no decision has been taken, thereby exposing them to harassment and possible penal consequences under the Ehtram- e- Ramzan Ordinance, 1981.

3. Learned Assistant Advocate General Sindh raises no objection if these petitions are disposed of by directing the respective Deputy Commissioners to decide the petitioners' applications strictly in accordance with law.

4. The issue raised in these petitions is not res integra. Various benches of this Court have already examined the matter in detail in earlier proceedings, notably the judgment dated 28.05.2018 passed in C.P. No.D- 1007 of 2018 and connected petitions, and the order dated 02.05.2019 passed in C.P. No.D- 709 of 2019 and others. In those matters, this Court held that it is not within its

jurisdiction to determine the merits of individual applications seeking exemption under Section 5 of the Ehtram- e- Ramzan Ordinance, 1981. The competent authority to decide such applications is the Deputy Commissioner concerned, who is required to assess the nature and location of the establishment and determine whether it qualifies for exemption under the statutory framework.

5. In view of the settled legal position and the consensus of the parties, all the listed petitions are **disposed of**, with the direction that the applications of the petitioners, whether already pending before the concerned Deputy Commissioner(s) or to be filed pursuant to this order shall be decided within seven days of receipt of this order. The Deputy Commissioner(s) shall examine each case independently, afford the petitioners an opportunity of hearing and render a reasoned order in accordance with law and the principles laid down in the aforementioned judgments. The authority shall specifically determine whether the establishment in question is situated in a locality that qualifies for exemption under Section 5 of the Ehtram- e- Ramzan Ordinance, 1981.

6. All the petitions stand disposed of in the above terms.

Office is directed to transmit a copy of this order to the concerned Deputy Commissioner(s) for information and compliance.

JUDGE

JUDGE

AHSAN K. ABRO