

## **ORDER SHEET**

### **HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

**Before:**

**Justice Arbab Ali Hakro  
Justice Riazat Ali Sahar**

1.	C.P No.D-460 of 2026	Muhammad Shakir v. Province of Sindh and others
2.	C.P No.D-486 of 2026	Muhammad Jamshed Khan v. Province of Sindh and others
3.	C.P No.D-487 of 2026	Qutbuddin v. Province of Sindh and others
4.	C.P No.D-488 of 2026	Muhammad Ahmed v. Province of Sindh and others

Date of hearing: **05.03.2026**

Date of Decision: **05.03.2026**

M/s Fatima Zahara Ansari and Hafiz Muhammad Ansari, Advocates  
for the Petitioner (s)

Mr.Rafiq Ahmed Dahri, Assistant A.G Sindh (present in Court in  
other matters waives notice of these petitions)

### **O R D E R**

**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 Additional Advocate General Sindh raises no objection if these petitions are disposed of by directing the respective Deputy Commissioner (s) 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