

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.**

C.P. No. D-4417 of 2026
(Zar Gul versus Province of Sindh & others)

Dated Order with signature of Judge.

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing and order: 13.08.2026

Petitioner is present in person.

Mr. Ali Safdar Depar, AAG alongwith SIP/Amir Malik, P.S Gulberg.

Mr. Wasim Taj, Mukhtiarkar, Sub-Div., Gulberg.

ORDER

Adnan-ul-Karim Memon, J. The Petitioner, Zar Gul, filed this Constitutional Petition under Article 199 of the Constitution, seeking directions against the alleged unauthorized construction and operation of a hazardous chemical factory at House No.55, Federal B Area, Block-5, Karachi. However, appearing in person, the Petitioner stated that he wishes to withdraw the petition and confine his grievance to prayer clauses (e) and (f), relating to the alleged operation of a hazardous chemical factory and disposal of toxic chemical waste.

2. The representative of the Deputy Commissioner submitted that the Petitioner's application had already been forwarded to the competent forum for action in accordance with law.

3. In view of the statement made by the Petitioner in person that he does not wish to press the petition and intends to confine his grievance only to prayer clauses (e) and (f), coupled with the submission of the learned representative of the Deputy Commissioner that the Petitioner's application has already been forwarded to the competent forum for appropriate action, no useful purpose would be served by keeping the present Constitutional Petition pending. The grievance regarding the alleged operation of a hazardous chemical factory and disposal of toxic chemical waste essentially involves factual and technical matters which are required, in the first instance, to be examined by the authorities competent under the relevant laws and regulations.

4. It is a settled principle that the extraordinary constitutional jurisdiction under Article 199 of the Constitution is not ordinarily exercised where an adequate statutory or administrative mechanism is available for investigation and redressal of the grievance, particularly where determination of disputed facts, inspection of premises, verification of licences/approvals, environmental and safety compliance, and assessment of hazardous activities are involved. At the same time, the availability of an alternate forum does not absolve the competent

authorities of their statutory obligation to examine a genuine complaint and take action strictly in accordance with law.

5. Accordingly, without expressing any opinion on the allegations made by the Petitioner, or determining whether any hazardous chemical factory is in fact being operated from the residential premises in question, the petition is disposed of alongwith listed / pending applicatinos. The competent authority shall examine the Petitioner's complaint in accordance with the applicable law, rules and regulations and, if upon inspection or inquiry it is found that any hazardous chemical activity is being carried out from the residential premises without lawful authorization, licence, approval or in violation of the prescribed safety, environmental or zoning requirements, shall take appropriate action in accordance with law.

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