

**IN THE HIGH COURT OF SINDH,  
AT KARACHI**

**C. P. No. D-6438 of 2021**

**Present:**

Ahmed Ali M. Shaikh, CJ  
and Yousuf Ali Sayeed, J

Petitioner : Abrar Haider Mughal through  
Iftikhar Ahmed Shah, Advocate.

Respondents : Province of Sindh & others  
Sandeep Malano, Assistant  
Advocate General, Sindh.

Date of hearing : 19.04.2022.

**ORDER**

**YOUSUF ALI SAYEED, J.** - The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, stating that he is a resident of City View Apartment, situated at Mansfield Street, Depot Line, Saddar, Karachi, and espousing a grievance that the vicinity is being illegally used for operation of Bus Stands, causing hardship for the local inhabitants, however, the official Respondents are not fulfilling their duties and taking any heed of the situation.

2. As it transpires, the Petition proceeds on vague and general allegations of misuse of roads, streets, and footpaths, and the relief elicited by the Petitioner is also not specific to him, and is bereft of any details as to the particular transporters or persons using any exact site for the aforesaid purposes with it being prayed in roundabout terms that this Court be pleased to:-

**“PRAYER**

1. *To direct the respondent No.1 & 2, to provide a list of orders passed by respondent No.1 & 2 or it's subordinates, granting licenses for permitting a place to be used for booking of ticket, pickup & set down passengers under Rule 240 & 241 of the Balouchistan, Khyber Pakhtunkhwa, Punjab and Sindh Motor Vehicles Rules 1969.*
2. *To direct the respondents, to initiate concrete steps to stop the Operations of Public Transporters, who are conducting their business without valid licenses/illegally.*
3. *To direct the respondents to allow only those Bus/Coach Service providers/operators who are duly licensed and are abiding by the Rules, as prescribed in the Balouchistan, Khyber Pakhtunkhwa, Punjab and Sindh Motor Vehicles Rules 1969 and/or conditions, under legally granted Licenses by Respondent No.1 & 2, in its true letter and spirit.*
4. *To direct the respondents immediately cancelled the licenses of the Bus/Coach Service Providers/operators, who are violating the Rules, as prescribed in the Balouchistan, Khyber Pakhtunkhwa, Punjab and Sindh Motor Vehicles Rules 1969 and/or conditions, under legally granted Licenses by Respondent No.1 & 2.*
5. *To direct the Respondents to take necessary steps and protect the fundamental rights of Petitioner as guaranteed under the Constitution of Pakistan, 1973, as they have been deprived of the same by the illegal acts of the said Transporters.*
6. *To award costs of the Petition.*
7. *To grant any other relief(s) which this Honourable Court may deem fit and proper under the circumstances of the case.*
8. *To declared this instant Petition as a public interest Petition.”*

3. When queried as to whether any complaint or representation had been made by the Petitioner to the Transport Authorities and how the matter was justiciable under Article 199 of the Constitution in absence thereof, learned counsel for the Petitioner submitted that such step had not been taken, but that the Petitioner would now act accordingly.

4. Under the facts and circumstances of the case, the Petitioner ought to firstly file a specific complaint with the Competent Authority properly setting out the relevant particulars, which could then be addressed in accordance with law after providing a proper opportunity of hearing to all concerned. The Petition stands disposed of in such terms, alongwith all pending miscellaneous applications.

JUDGE

CHIEF JUSTICE

Karachi.  
Dated: