

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.1505 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on CMA No.9876/16 (if granted)
2. For orders on CMA No.9877/16 (Application for Exemption)
3. For orders on CMA No.9878/16 (U/O 39 Rule 1 & 2 CPC.)

16.06.2016.

Mr. Ch. Muhammad Ashraf Khan, Advocate alongwith plaintiff Bilquees Inam.

1. Granted.
2. Granted subject to all just exceptions.
3. Through this Suit, the plaintiff has sought declaration, permanent injunction and damages by impugning Show Cause Notice dated 13.06.2016, issued by defendant No.2 on the ground that the same is without any lawful authority and jurisdiction. Learned Counsel for the plaintiff submits that the plaintiff, who works as a Senior Airhostess performed her duty as Cabin Crew on flight from Karachi to Oslo Via Islamabad on 03.06.2016. Per Learned Counsel the Flight returned from Oslo to Lahore and then from Lahore to Karachi on 10.06.2016. He further submits that upon arrival at Karachi, the plaintiff alongwith other Crew staff was detained and their luggage was brought by security staff and was opened, wherein, it has been alleged that some catering items were found form the plaintiff's luggage. Counsel submits that the luggage was in the Hold of the Aircraft and plaintiff was travelling from Lahore to Karachi after taking a Flight to Oslo and the alleged catering items, as stated in Para-6 of the plaint, belong to the plaintiff and were for her own personal use and brought from Oslo. He submits that while issuing Show Cause Notice, there are several other items included, which do not belong to the plaintiff, nor they were ever recovered from the Plaintiff's baggage, whereas, no Inventory was prepared at the relevant time. He further submits that neither any inquiry has been conducted nor any investigation has been made as required under Rule 78 of the Defendants' Regulations, and within a period of 2 days of the alleged incident impugned Show Cause Notice has been issued. Counsel submits that though the plaintiff has been given a chance to reply the Show Cause Notice, but she apprehends that as soon as the reply is furnished the defendants would pass an adverse order.

Let notice be issued to the defendants for 30.06.2016. Till the next date of hearing, the plaintiff may furnish the Reply to the defendants, however, they shall not pass final order pursuant to Show Cause Notice dated 13.06.2016.

J U D G E