

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

**Present:**

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

**C.P No. D-3289 of 2021**

Petitioners : Abdul Salam and Sher Wali Khan through  
Muhammad Saleem Mangrio, Advocate.

Respondent No.1 : Federation of Pakistan through Syed  
Zaheem Haider, Advocate a/w Khaleeq  
Ahmed, D.A.G and Mukhtiar Ali Junejo,  
AAG.

Respondent No.2 : Cantonment Board Clifton through Ahmed  
Ali Hussain Advocate.

Date of hearing : 16.03.2022

**ORDER**

**YOUSUF ALI SAYEED, J.** The Petitioners have invoked the jurisdiction of this Court under Article 199 of the Constitution assailing notice of auction published by Cantonment Board Clifton in respect of rights to recover fees of Horse, Camel and Motor Bike rides at Sea View and Parking Fees at Block-8 & 9 & ST-10, Clifton, Karachi.

The case advanced by them is based on the assertion that they had separately been awarded contracts in that regard in pursuance of an earlier auction but due to the impact of Covid-19 during the subsistence of those contracts they were unable to enjoy the rights conferred thereunder in the manner and to the

extent envisaged, with it being expected by them that some extension of the contract period would be granted by way of relief. On query posed, learned counsel for the Petitioner conceded during the course of his submissions that the period of those contracts had lapsed. When then asked to satisfy us as to how the Petition was maintainable and what fundamental rights of the Petitioner had even otherwise been violated, the only response forthcoming was that due to the Covid-19 pandemic the business of the Petitioner had been adversely impacted and they had suffered loss, for which they sought to be compensated through the extension of their Contracts. We are of the view that such plea is entirely misconceived and does not give rise to any right justiceable by way of a writ. The Petition was thus dismissed accordingly vide a short order made in court upon culmination of the hearing on 16.03.2022. Needless to say, the Petitioners remain at liberty to participate in any fresh auction as may be conducted, if they so desire.

**Judge**

**Chief Justice**