

IN THE HIGH COURT OF SINDH AT KARACHI

Present:
Muhammad Junaid Ghaffar, J.
Agha Faisal, J.

C P D 1284 of 2023 : Outdoor Advertising Welfare Association
Sindh & Another vs.
Federation of Pakistan & Others
For the Petitioners : Mr. Atique-ur-Rehman Khan, Advocate
Date/s of hearing : 08.03.2023
Date of announcement : 08.03.2023

ORDER

Agha Faisal, J. This petitioners, representing themselves to be associations, have challenged the incidence / enhancement of taxation with respect to eight cantonment boards, throughout the length of the Province. However, at the very onset the petitioners' counsel was confronted with respect to the maintainability hereof *inter alia* as the petitioners appeared to be devoid of any demonstrable *locus standi* to maintain the present petition.

2. Per learned counsel, the associations ought to be considered as aggrieved as their individual members, not arrayed herein, had grievances with the respective respondents.

3. The exercise of powers, per Article 199 of the Constitution, was required to be undertaken upon application of an aggrieved person¹. *Admittedly*, the petitioners, being associations², are not aggrieved with respect to subject matter of this petition, whereas, grievance, if any, could be that of respective members, none of which are before us today. The learned counsel has been unable to articulate any cogent argument to befall the petitioners within the definition of an aggrieved person³.

4. In view hereof, we find this petition to be misconceived, hence, the same, along with pending application/s, was dismissed with costs *in limine* vide our short order announced in Court at the conclusion of the hearing earlier today. These are the reasons for our short order.

JUDGE

JUDGE

¹ Barring certain exceptions, i.e. writ of *quo warranto*, however, no case was made out to qualify the present petition within an exception recognized by law; 2019 SCMR 1952.

² 2014 MLD 882; 2001 YLR 916; PLD 1964 (WP) Lahore 138.

³ *Raja Muhammad Nadeem vs. The State* reported as PLD 2020 Supreme Court 282; *SECP vs. East West Insurance Company* reported as 2019 SCMR 532.