

ORDER SHEET  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**Constitution Petition No. D – 4188 of 2023**

Date	Order with signature of Judge
------	-------------------------------

**FRESH CASE**

1. For orders on Misc. No. 19313/2023 (Urgent).
2. For orders on Misc. No. 19314/2023 (Exemption).
3. For orders on Misc. No. 19315/2023 (Stay).
4. For hearing of Main Case.

**04.09.2023:**

Mr. Munawar-uz-Zaman Juna, Advocate for Petitioner.  
 -----

1. Granted.

2. Granted subject to all just exceptions.

3&4. Through instant petition, the petitioner's company/firm, who is cement manufacturers having their factories and offices situated in the different part of Karachi, has impugned the retrospective application of SRO 977(i)/2023 dated 27.07.2023 w.e.f. 01.07.2023, whereby, according to learned counsel for petitioner, the petitioners are required to make payment of their electricity bills on higher rates, while giving retrospective effect to the impugned SRO, as referred to hereinabove, which is not permissible under the law. In support of his contention, learned counsel for the petitioner has placed reliance on the case of *ANOUD POWER GENERATION LIMITED AND OTHERS V. FEDERATION OF PAKISTAN AND OTHERS [PLD 2001 SC 340]* and *SINDH PETROLEUM AND CNG DEALERS ASSOCIATION & OTHERS V. FEDERATION OF PAKISTAN & OTHERS [2020 CLC (SINDH) 851]*.

Learned counsel for the petitioner submits that under similar circumstances in the case of *Nadeem Textile Mills Ltd. & others v. Federation of Pakistan & others [C.P.No.D-4132/2023]*, this Court vide order dated 28.08.2023, while issuing notices to the respondents and DAG for 07.09.2023, has been pleased to grant ad-interim relief. Learned counsel for the petitioner, therefore, requests that notices in the instant

matter may be issued and similar relief may be granted to the petitioner. In support of his contention, learned counsel for the petitioner has placed copy of order dated 28.08.2023 passed in the aforementioned petition.

Let pre-admission notice be issued to the respondents as well as to the D.A.G. for 07.09.2023, to be served through first three modes, when instant petition may be taken up alongwith aforementioned petition and other connected identical petitions, whereas, reply/comments shall be filed with advance copy to learned counsel for the petitioner.

As an interim arrangement, HESCO may issue provisional revised bill of July, 2023 as per rates prior to aforesaid SRO within 03 days, which shall be paid by the petitioner within seven (07) days thereafter. Petitioner shall deposit the post-dated cheques of the differential amount before the Nazir of this Court within above period, and subject to such payments, the respondents shall not take any adverse action against the petitioner, including disconnection of the electricity, till next date of hearing.

***JUDGE***

***JUDGE***

A.S/Farhan